United Nations S/PV.6377

Security Council

Sixty-fifth year

Provisional

6377th meeting

Tuesday, 7 September 2010, 10 a.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Ebner
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	France	Mr. Bonne
	Gabon	Mr. Issoze-Ngondet
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Heller
	Nigeria	Mr. Amieyeofori
	Russian Federation	Mr. Dolgov
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Anderson

Agenda

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/453)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-50627 (E)

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The meeting was called to order at 10.05 a.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of September, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Vitaly Churkin, Permanent Representative of the Russian Federation to the United Nations, for his service as President of the Security Council for the month of August 2010. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Churkin and his delegation for the diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/453)

The President: I should like to inform the Council that I have received a letter from the representative of Nepal, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Acharya (Nepal) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Karin Landgren, Representative of the Secretary-General and head of the United Nations Mission in Nepal.

There being no objection, it is so decided. I invite Ms. Landgren to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with its previous consultations.

I wish to draw the attention of Council members to document S/2010/453, which contains the report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process.

At this meeting, the Security Council will hear a briefing by Ms. Karin Landgren. I now give the floor to Ms. Landgren.

Ms. Landgren: The present report of the Secretary-General (S/2010/453) presents a discouraging picture of the state of Nepal's peace process and of the failure of the political parties to invest in its revival. The disagreement between the Government and the opposition over the continued role of the United Nations Mission in Nepal (UNMIN) in the peace process is also reported.

At the time of my most recent briefing to the Council (see S/PV.6308), Nepal was in the fourth day of a national strike called by the Unified Communist Party of Nepal-Maoist (UCPN-M) seeking to compel the resignation of Prime Minister Madhav Kumar Nepal. Party supporters thronged Kathmandu and other urban centres, raising fears of confrontation. After six days, the strike was called off and the demonstrators made an orderly retreat. Fresh national anxiety arose within weeks with the imminent expiry of the two-year tenure of the Constituent Assembly with the new constitution still far from complete. The country was on the brink of an uncertain and dangerous constitutional dilemma. After intensive negotiation and an eleventh-hour threat of revolt within the third-largest party, the Communist Party of Nepal (Unified Marxist-Leninist) (UML), all but five parliamentarians supported a year-long extension of the Assembly until 28 May 2011.

The three-point agreement that extended the Assembly also committed the parties to moving ahead in consensus and cooperation in the remaining tasks to bring the peace process to its logical conclusion, and clarified that the Prime Minister was ready to resign

without delay to pave the way for the formation of a national consensus Government.

This agreement averted a potential collapse of the peace process, but the critical extension of the deadline for completing the constitution has not moved matters forward. Since then, the Constituent Assembly has met only to adopt the calendar for constitution-drafting. Prime Minister Nepal stepped down on 30 June, but continues to head a caretaker Government pending the election of a new Prime Minister by the Legislature-Parliament. Negotiations to form a national consensus government failed, and the Legislature-Parliament has voted seven times since 21 July on two candidates: Maoist former Prime Minister Pushpa Kamal Dahal "Prachanda", and Nepali Congress parliamentary party leader Ram Chandra Poudel. The Maoists have obtained a high of 259 votes, some 42 short of a simple majority, while Nepali Congress has reached a maximum of 124 votes. An eighth round is tentatively scheduled for 26 September.

A primary reason for the deadlock is the UML decision to remain neutral in the balloting, which is at least in part a result of internal party tensions. Its Chairman Jhalanath Khanal has put forward a consensus platform grouping the major issues to be resolved for the sake of the peace process. The Madheshi coalition, despite strains, has also stayed largely neutral, and the withholding of roughly 190 votes by these two blocs has prevented both contenders from garnering a majority.

There is widespread acknowledgement in principle that a majority Government that leaves any of the three major parties in opposition is unlikely to muster the unity needed to see through the most difficult outstanding peace process commitments. Unfinished constitutional business includes reaching agreement on the form of governance, the judiciary and State restructuring. The State restructuring commission foreseen by the Comprehensive Peace Agreement was to have begun its work by the end of July, but has not done so. Madheshi parties in particular wish to see State restructuring addressed by the relevant committee of the Constituent Assembly.

The study committee charged with making recommendations on seven of the eight remaining thematic papers did not present its report as scheduled. Despite plans to present the first draft of the new constitution in November, there are doubts that this timetable can be kept. But the prospect of forming a consensus Government remains equally, if not more remote.

As the three-point agreement of late May makes explicit, the issues of power-sharing, completion of the new constitution and solutions for the former Maoist army personnel are now interlinked. All three also form part of the proposed UML consensus platform, but this proposal has received little attention from other party leaders. The current void in the peace process illustrates a long-standing reluctance to invest in the kind of sustained and structured negotiations that might drive progress. The proper architecture for this was never put in place, and the once-promising high-level political mechanism was abandoned not long after the death of Girija Prasad Koirala in March.

It is not too late to establish a clear and dependable discussion mechanism with which the parties can also firmly put to rest any fears that they will abandon the path of the constitution and democracy, and demonstrate a new seriousness towards resolving outstanding issues.

The commitments that were made in the Comprehensive Peace Agreement, the Interim Constitution and other auxiliary agreements formed the negotiated basis for ending Nepal's 10-year war and for responding to Nepal's historically marginalized groups, including Madheshi, indigenous and Dalit populations. These commitments include the integration into the security forces or the social rehabilitation of the Maoist army personnel, who were to be supervised by a special committee, and the democratization of the Nepal Army, defined as the determination of its appropriate size, the development of its democratic structure and national and inclusive character, and training imparted in accordance with the norms and values of democracy and human rights.

Pending the implementation of these forward-looking commitments, the Nepal Army and the Maoist army were made subject to restrictions in order, pursuant to article 4 of the Comprehensive Peace Agreement,

> "to hold the election to (the) constituent assembly in (a) free and fair manner and for the democratic restructuring of the army to proceed".

The parties negotiated the specifics of these mutual restrictions, under which the Maoist army is

cantoned in 28 sites across Nepal and the Nepal Army is confined to barracks other than for a number of routine functions. The storage and monitoring by UNMIN of Maoist army weapons and an equivalent number of Nepal Army weapons were also negotiated between the parties. These weapons still belong to their respective armies, which retain the keys to the arms storage containers, which are under 24-hour UNMIN surveillance. The barracks, cantonments and activities of the Maoist army and the Nepal Army are lightly monitored by the modest UNMIN contingent of unarmed arms monitors, and each army remains under its own chain of command.

In recent months, the caretaker Government, sections of the Nepali Congress and the UML, and the Nepal Army have argued that the Nepal Army should no longer be monitored by UNMIN, citing a provision of the Comprehensive Peace Agreement according to which "the concept of two sides shall cease to exist" upon the establishment of the interim Legislature-Parliament — a development that took place in January 2007.

Whether or not two sides still exist, there are manifestly still two armies. The restrictions on the armies were to be transitional and, as Council members are aware, the Secretary-General has repeatedly argued against the prolonged confinement of the two armies without a long-term solution, calling for early decisions to be addressed in the context of the longer-term reform of the security sector. The changes foreseen to the armies under the Comprehensive Peace Agreement have not taken place.

It is cause for concern that the Nepal Army now seeks unilaterally to withdraw from and to alter the scope of the Agreement on the Monitoring of the Management of Arms and Armies. The arms monitoring agreement contains provisions whereby the parties can review or modify it. The Government and the Army have not sought to use this modality. Any unilateral decision in this regard may have the effect of abrogating the treaty.

These developments have direct and immediate bearing on the work of UNMIN. UNMIN's monitoring of arms and armies and chairmanship of the Joint Monitoring Coordination Committee (JMCC) are set out in the Arms Monitoring Agreement itself. UNMIN monitors strictly at the invitation of the parties, and with their agreement. Absent a fresh agreement between the parties, UNMIN cannot continue to monitor one side at the request of the other; neither does it have the authority to introduce fundamental changes to the monitoring regime.

The Government's pressure for an end to the international monitoring of the Nepal Army has been accompanied by a flood of criticism directed at UNMIN. A Nepal Army internal document, entitled "The basis for UNMIN's exit", which has been leaked to the press, asserts that UNMIN is siding with the Maoists, is not impartial and is obstructing the Nepal Army and the Nepal Government in fulfilling their national duty. The Chief of Army Staff has been visible and vocal in lobbying the political leadership and diplomatic representatives for UNMIN's departure. This activism by the Army on issues within the political sphere seems, however, to have been encouraged by some senior political leaders, with the Defence Minister publicly accusing UNMIN of being the mouthpiece of the Maoists. UNMIN has protested the Army's impugning of the integrity of the United Nations. The caretaker Government has yet to repudiate the actions or remarks of its army and its ministers.

As has been reported to the Council in the past, the Nepal Army has since 2007 continued to recruit personnel in defiance of the arms monitoring agreement and bypassing the JMCC. Reports of recruitment by the Nepal Army and by the Maoist army have been brought to the JMCC for discussion and review, as is appropriate. The Nepal Army has now refused to accept any future discussion of its recruitment in the JMCC, and has said it will not take part in JMCC meetings if this issue is on the agenda. Seeking to restrict discussion in the designated forum — the JMCC — undermines the agreed arms monitoring regime.

As recently as May, the Nepal Army had sought to expand the work of the JMCC to cover the activities of the Maoists' Young Communist League, sending four letters of protest in that regard. The JMCC has never reviewed actions by or on behalf of entities other than the Nepal Army and the Maoist army. Soon afterwards, records of confidential JMCC proceedings were leaked to the press, as were the names of all 19,602 Maoists registered and verified in the cantonment sites in 2007.

Let me emphasize that the true risks of this moment pertain less to UNMIN than to the gulf of mistrust between the parties that has paralysed the political process. Along with this has come significant distortion of Nepal's comparatively successful arms monitoring regime and unfounded allegations of UNMIN bias. These include two matters perpetually recycled as evidence of UNMIN monitoring failures, on which I would like to set the record straight. One is the claim that UNMIN neither prevented nor reacted to the torture and murder, in May 2008 in the Shaktikhor cantonment, of businessman Ram Hari Shrestha by Maoist army personnel. The other is the allegation that UNMIN intervened to prevent justice being done in August 2009, when 19 Maoist army personnel were found in Kapilvastu in possession of nine United Nations-registered perimeter weapons.

Both of these incidents were serious breaches of the Arms Monitoring Agreement. As the record shows, UNMIN condemned both immediately, issued press releases underlining the Mission's concerns and also conveyed these messages strongly in private. Both cases were brought to the JMCC, along with UNMIN's findings, and were unanimously found to be violations. UNMIN has repeatedly called for those involved in ordering and carrying out the abduction and killing of Ram Hari Shrestha to be brought to justice. In Kapilvastu, UNMIN went immediately to the site to identify the weapons. Following the engagement of senior Government officials, the matter was brought to a peaceful resolution and agreed steps were taken, including the return of the weapons to the cantonment.

UNMIN does not control or enforce Maoist army or Nepal Army movements. As has been reported to the Council, UNMIN has pressed both armies, since last year, for greater cooperation in the monitoring of troop strength. Doubts that Maoists were exceeding the agreed 12 per cent rate of absence in the cantonment sites led the Government to halt payments to them earlier this year. Following discussions between the Peace Ministry and the UCPN-M, payments resumed and the minister expressed his satisfaction. UNMIN has, however, continued to raise concerns in that regard and has recently agreed with the UCPN-M that arms monitors will conduct a fresh head count in the cantonments in the near future.

UNMIN's aim is to complete our support to the peace process effectively and wind up our presence with minimal disruption to that process. Since March, UNMIN has actively explored how best to do so, in extensive consultation with senior leaders of the three main parties. As the Secretary-General has now reported twice, the parties have consistently maintained to us that the handover of monitoring responsibilities would be premature and that there is no mechanism to take over this responsibility. In the present polarised climate, a national monitoring mechanism can expect to find its credibility challenged even more severely than that of UNMIN.

In the absence of credible monitoring alternatives, UNMIN has continued to encourage the parties to focus on reaching an agreement on integration and rehabilitation and related commitments so that the need for monitoring the armies could end. In the meantime it has also continued to press for improving the effectiveness of its monitoring role. The Nepali Congress, the UML and the UCPN-M have all presented proposals on integration and rehabilitation, and agree that three options are open to Maoist army personnel: voluntary separation, integration into the security forces and rehabilitation. The parties' elaboration of proposals is useful, but they remain far apart on the numbers to be integrated as well as on the modalities of integration. In common with many past agreements, these too rely heavily on a minimum level of trust, consensus and goodwill as a modality for moving forward. The Special Committee met on 5 September, however with Maoist participation for the first time in many months.

Our counterparts had identified support to the Special Committee, including on the planning and implementation of integration and rehabilitation, as an area where UNMIN could be of greater assistance. Consistent also with the Council's calls for a timeline on this issue, we shared a non-paper on this with senior party representatives as a way of encouraging forward thinking. As the Secretary-General's report notes, this placed along a hypothetical timeline the technical elements broadly agreed among the parties and in the Technical Committee. Based principally on advice from Nepali experts and on the experience of the discharge of the disqualified Maoist army personnel earlier this year, it posited the reinforcement of Government implementing institutions, notably a secretariat to the Special Committee; in-cantonment consultations, briefing, registration and choices by personnel; separation into groups; the detailed plan for integration following political agreement on entry

norms, rank harmonization and so on; and final briefings on choices. Discharge would follow at the end of week 39. This was a non-prescriptive effort to stimulate reflection and technical planning. The Prime Minister, however, declared that UNMIN had stepped beyond its jurisdiction. UNMIN has continued to press for interim actions, including profiling in the cantonments and a labour market survey.

The recent direct challenge to the Arms Monitoring Agreement takes the peace process in a sharply wrong direction. Risks to the peace process and to democratic governance in Nepal are real. The risks include an unresolved leadership battle, which may keep critical decisions in limbo and, at this point, appears unlikely to deliver the consensus Government that would form a stronger basis for concluding the peace process. They include the risk that the Constituent Assembly, even after a 12-month extension, will expire without a new constitution having been drafted. They also include a climate in the country of deteriorating security. In late July, the Government decided to give special protection to village development committee secretaries across the country, after more than 1,200 secretaries in 31 districts tendered a collective resignation, citing insecurity. The risks include threats to journalistic independence, with killings of media personnel earlier in the year followed by death threats to senior editors and other acute constraints on their operations and reporting. They include a contested end to the monitoring of arms and armies, with unpredictable consequences.

The biggest risk of all may be that the peace process and parliamentary processes appear discredited, sending a discouraging signal to existing and emerging groups about taking the democratic route to push for change. UNMIN's tasks can succeed only if there is overall political progress in Nepal. Its role is supportive. Ascribing to the United Nations the blame for the parties' failure to move forward politically is not a new phenomenon, but it has grown incrementally and in intensity. The hard political decisions needed to take Nepal's peace process forward are beyond UNMIN's mandate and capacity, and lie firmly in the hands of Nepal's political leaders.

As the report of the Secretary-General indicates, some things need to change if the peace process is to be brought to a successful end. With respect to UNMIN, it is proposed that in the first instance the mandate be discussed with a new, duly formed Government, in the context of the parties' fulfilment of their commitments and the phasing-out of the Mission. The Secretary-General would then report back to the Council, and in the event of there being neither clarity nor consensus in this regard, would propose alternative measures, including the possible termination of the mandate.

I would like once again to make clear that the desire of the Secretary-General is to see the Mission complete its tasks and withdraw in a manner that does not jeopardize the peace process and maintains continued international support for peace consolidation. The United Nations has no interest in or desire to prolong the life of the Mission by a day more than necessary.

Nepal's peace process has not failed, even though it has moved far more slowly and unevenly than anticipated by either the parties or the Council. The original ambitious timelines have not been maintained on any count, and this is likely to be a protracted endeavour. For well over a year now, the process has essentially stalled and the level of mistrust has risen. The process can be brought back on track if the political leadership is ready to reassess priorities and place this process at the front and centre of its political activity, recognizing that only through continued and persistent negotiation can it move forward. At a time when political moderation is in short supply, the parties have a great deal of work to do in order to make the case that they intend Nepal's peace to be permanent and irreversible.

The President: I thank Ms. Landgren for her briefing. I now give the floor to the representative of Nepal.

Mr. Acharya (Nepal): I wish to congratulate you, Ambassador Apakan, on assuming the presidency of the Council for the month of September. I would like to extend my sincere thanks to you for providing me with this opportunity to speak before the Council.

I would also like to thank Ms. Karin Landgren, the Representative of the Secretary-General, for her briefing, although we hold different views on various issues she has presented here, including the role of the national Army. We do not accept the sweeping critical comments levelled at the national Army as trying to scuttle the process. They are not true; as Ms. Landgren

herself has said, they are based on perverted "non-papers".

As the Council is aware, Nepal has passed many milestones in its peace process while moving forward towards sustainable peace, stability and development since the signing of the Comprehensive Peace Accord in November 2006. The promulgation of the Interim Constitution on a consensual basis, the successful elections for the Constituent Assembly and the declaration of Nepal as a federal democratic republic were indeed some of the historic steps made possible by a conscious understanding among the political parties and by wide support from the general public.

It is true that our transition from conflict to a lasting peace has been arduous, as it is everywhere else. But what is equally true is that we are transforming our entire political disposition from unitary to federal and monarchical to republican, and making the structure and mechanisms of our governance more democratic, inclusive and accountable. These transformations will have far-reaching effects, and as such are not straightforward tasks by any measure. Rather, the processes require assiduous negotiations, confidence-building measures and public understanding in order to bolster the new set-up and the sharing of power among all stakeholders. We all look forward to the successful conclusion of the peace process as soon as possible so that we can ensure further peace, stability and sustainable, rapid economic progress in the country. The people of Nepal look forward eagerly to completing the transition to a normally developing State as early as possible.

At this juncture, while the Constituent Assembly, with its extension, has the task of writing a new constitution in time, it is also engaged in the process of forming a new Government — a democratic exercise that it has to fulfil in its capacity as the legislative Parliament as well. We are aware that the current stalemate should not affect or delay the process of writing the constitution. We have therefore all been making efforts to complete the new Government-formation process from within the Constituent Assembly as soon as possible. We are hopeful that it will ultimately bring the political parties to further negotiations, resulting in the formation of the new Government soon. This will then allow the Government and political parties to focus their efforts on consolidating the peace process by taking care of the remaining tasks related to it, including the integration and rehabilitation of combatants and the writing of the new Constitution.

The Government and the people of Nepal express their gratitude to the United Nations for having provided continued support since the beginning of our peace process. The United Nations Mission in Nepal (UNMIN) has witnessed and participated in many phases of our political events and the peace process throughout the successive renewals of its mandate.

I would also like to thank Secretary-General Ban Ki-moon for his keen personal interest in the success of the peace process in Nepal. We have taken note of the Secretary-General's report on UNMIN contained in document S/2010/453. I have the honour to state the views of the Government of Nepal on some aspects of the report, as follows.

We would have liked to see the report more balanced, nuanced and reflective of the correct assessment of the situation on the ground in its entirety. It is important that we have a well-rounded view of the situation based on accurate assessments.

The Government of Nepal has been working hard since the early days of the peace process to push it forward and thus move from the transition phase to normal statehood as soon as possible. It has also called for the cooperation of all concerned and expressed its utmost commitment to flexibility in promoting the peace process and accelerating the constitution-building process in the Constituent Assembly. Appropriate recognition of those efforts in the report could have helped provide a balanced view of the situation.

In paragraphs 2 and 4, and in various other places, the report should have better reflected the realities on the ground. With the elections to the Constituent Assembly and the formation of the Special Committee, the concept of the two armies no longer exists. The Maoist combatants should therefore be consistently referred to as such throughout the report. A national Army cannot be equated with the combatants.

In paragraphs 6 and 29, the report refers to the non-paper that UNMIN circulated in Nepal. The non-paper created a lot of confusion in Nepal, as it suggested an action plan that went well beyond the constitution-drafting timeline and created unnecessary

political complications. At formal meetings called by the Prime Minister soon after, the political parties represented in the Constituent Assembly categorically disowned the non-paper.

Paragraph 9 of the report refers only to the 16-week Action Plan submitted by the Prime Minister. In fact, the Prime Minister and the Special Committee prepared a 16-week Action Plan initially; as the situation evolved, a 60-day plan was also prepared to take care of the issue of integration and rehabilitation. That shows the Government's utmost commitment to accelerating the task of integrating and rehabilitating the combatants, and should also have been reflected in the report.

Paragraph 31 of the report does not discuss the Government's commitment and work towards democratizing the Nepal Army. It fails to mention the Cabinet committee headed by the Defence Minister, which has already prepared a detailed action plan on the democratization of the national Army. The action plan has been submitted to the Cabinet and is already under its active consideration.

The Government of Nepal takes exception to the questioning, in paragraph 34 of the report, of the regular functioning of the Government with full authority as per the Constitution of Nepal. The Government fully understands that the fundamental principles of the Charter of the United Nations respect the national sovereignty of each nation State and its political system as per its own Constitution.

In conclusion, the Government of Nepal reaffirms its firm commitment to the purposes and principles of the Charter of the United Nations and looks forward to contributing, as ever, towards fulfilling the Organization's mandate to maintain international peace and security and to promoting economic development, social progress and fundamental human rights. We will do so with the continued understanding and support of the international community for an early, meaningful and positive conclusion of the country's peace process in the best interests of the nation and its people.

It is for these reasons that I have just forwarded a request from the Government of Nepal, from the Prime Minister, through a letter to the Secretary-General for the extension of UNMIN, with appropriate focus as reflected in the letter. The letter sets out in detail the progress that has been made, or the lack of progress and the challenges that we face, as well as the reasons behind the request for an extension of UNMIN with appropriate focus.

We highly honour and value the sustained support and cooperation of the Security Council in our peace process. We feel privileged to receive the continued support and goodwill of the international community. We are confident that, with the Council's support and cooperation, we will succeed in taking our peace process to its logical end.

The President: I thank the representative of Nepal for his statement.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.40 a.m.

United Nations S/PV.6378

Security Council

Sixty-fifth year

Provisional

6378th meeting

Tuesday, 7 September 2010, 3 p.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Ebner
	Bosnia and Herzegovina	Mr. Vukašinović
	Brazil	Mrs. Viotti
	China	Mr. Yang Tao
	France	Mr. Araud
	Gabon	Mr. Issoze-Ngondet
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Heller
	Nigeria	Mr. Adamu
	Russian Federation	Mr. Kravchenko
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation concerning the Democratic Republic of the Congo

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10-50633 (E)

Please recycle

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President: I should like to inform the Council that I have received a letter from the representative of the Democratic Republic of the Congo, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ileka (Democratic Republic of the Congo) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Atul Khare, Assistant Secretary-General for Peacekeeping Operations.

There being no objection, it is so decided.

I invite Mr. Khare to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict.

There being no objection, it is so decided.

I invite Ms. Wallström to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear briefings by Mr. Atul Khare and Ms. Margot Wallström.

I now give the floor to Mr. Khare.

Mr. Khare: Thank you, Mr. President, for the opportunity to brief the Council on the chain of events surrounding the recent incidents of mass rapes in North Kivu and the cases of rapes in South Kivu. The map on the screen shows the area in question.

As the Council is aware, I visited the Democratic Republic of the Congo, on the instructions of the Secretary-General, from 28 August to 2 September. Apart from Kinshasa, I travelled to North Kivu, notably to Goma and Walikale and to Lubonga and Luvingi where the systematic rapes had occurred, and to Kirumba, where three Indian peacekeepers were killed on 18 August. In South Kivu, I travelled to Bukavu and to Uvira, where cases of rapes have also been reported.

During the visit, I met with Government officials, including the Minister for Foreign Affairs, Mr. Alexis Thambwe; the National Security Adviser, Mr. Pierre Lumbi; and the Governor of South Kivu, Mr. Marcellin Cishambo. I also met with several senior operational officers of the Forces armées de la République démocratique du Congo (FARDC): General Dieudonne Amuli, commanding general of Operation Amani Leo; General Pacifique Masunzu, commanding general of the South Kivu military region; Colonel Delphin Kahimbi, commander of Operation Amani Leo in South Kivu; and Lieutenant Colonel Bernard Byamungu, commander of the Uvira military region in South Kivu.

I had the opportunity to interact with civil society groups in Kinshasa and Kirumba, as well as in the villages where rapes were perpetrated, both in North Kivu and South Kivu. In all these meetings, Special Representative of the Secretary-General Roger Meece accompanied me as we sought out together, both internally and with our partners, the details surrounding the outrageous and utterly condemnable systematic and mass rapes in the Kibua area, and thereby sought to identify our shortcomings.

After outlining the details surrounding the mass rapes in North Kivu and the cases in South Kivu, I will present certain actions that the United Nations Organization Stabilization Mission in the Democratic

Republic of the Congo (MONUSCO) has already initiated and some that the Mission envisages initiating, as well as certain proposals for consideration by the Council. I will provide information on additional cases of rape in Uvira, Movinga and Shabunda, in South Kivu, as well as in Mubi and Pinga in North Kivu, which have been recently reported to us.

The Forces Démocratiques de Libération du Rwanda (FDLR) still retains a strong and active presence in the Kibua area. On 25 July, the FARDC — that is, national army — units deployed in the area of Kibua were redeployed to Walikale. Five days later, on 30 July, the Office for the Coordination of Humanitarian Affairs (OCHA) office in the area received unconfirmed information about possible attacks by FDLR in Mpofi. However, the MONUSCO company operational base in Walikale could not confirm this information. Information, again, unconfirmed, indicated that Mai-Mai Cheka allegedly intended to block off the Walikale-Goma and Walikale-Bukavu roads, which members see on the map, to halt the movement of minerals. An unconfirmed case of rape in Mpofi was also reported on 30 July. The same day, the security officer of the United Nations Department of Safety and Security (UNDSS) in Walikale sent an advisory by SMS to OCHA in the Democratic Republic of the Congo, security officers of the World Food Programme and the Office of the United Nations High Commissioner for Refugees (UNHCR), focal points of the United Nations Development Programme (UNDP) and United Nations Office for Project Services and MONUSCO security officers in Goma, stating that the area of Mpofi, on the Masisi-Walikale axis, had passed under the control of FDLR and that UNDSS recommended the suspension of movements in that zone. The same message was transmitted to humanitarian workers and non-governmental organizations by the OCHA office in Goma.

On 31 July, we learned that, in an encounter near Mpofi, the FARDC had killed eight FDLR combatants and seriously wounded another. The chef de groupement of Kibua contacted the FARDC and the MONUSCO company operating base in Kibua on that day to inform them about attacks and looting but did not mention any rapes at that stage. A subsequent patrol conducted by the Kibua company operating base established that two shops, including a medicine shop, had been looted in the Lubonga area and that there was no movement of civilians on the road between Walikale-Mpofi-Kibua-Goma, perhaps because of the fear of the presence of armed groups. Increased movement of FDLR cadres was observed between Mpofi and Ruwenge, 22 kilometres north-west of Kibua, and between Mpofi and Lubonga, 13 kilometres west of Kibua.

The next day, 2 August, was a market day in Kibua, where, as an innovative practice for civilian protection, the company operating base in Kibua provides market patrols, which includes escorting villagers who assemble at Ishunga to Kibua. Nevertheless, a forenoon patrol to Lubonga and Luvingi on 2 August did not result in reporting of any rapes to our peacekeepers. The patrol also interacted with Lieutenant Colonel Mukale of the 2112 battalion of the FARDC at Mpofi, as well as with the villagers of Bunyampuri. The patrol was accompanied by an interpreter. However, none of the villagers told the patrol that there had been cases of rape. The patrol on 2 August also arrested a Mai-Mai cadre between Lubonga and Luvingi.

The first report of 15 rape victims who sought medical attention at the International Medical Corps (IMC) supported health centre was received on 5 August. The perpetrators had disappeared into the surrounding forests long before that time. Obviously, until that time the perpetrators had been in either the villages or the surrounding areas, and the victims had not been able to report their suffering or even to seek medical attention. This was confirmed by the villagers in Luvingi, which recorded the largest number of rapes: over 103, as reported to me when I visited them.

The initial figure of 15 rose to 47 on 9 August, and to 68 on 13 August. As this horror unfolded, MONUSCO deployed a joint protection team on the Mpofi-Kibua axis to assess the security situation of the villages along the axis, verify the allegations of recent attacks, mass rapes and lootings and evaluate the protection needs of the local population.

A human rights investigation team was also deployed from 25 August to 2 September, and interviewed victims and witnesses in each of the 13 villages in the area. The investigation's report is being finalized and will be made public in the coming days.

Assistance to victims, particularly medical and psychosocial assistance, is being provided by IMC and Heal Africa, with some transport assistance by MONUSCO.

It is now clear that at least 242 persons, including 28 minors, were systematically raped in 13 villages in that area between 30 July and 2 August. The inhabitants of Luvingi, which recorded the largest number of rapes — over 103 — told me that the perpetrators of the attack, mass rapes and looting arrived in their village on 30 July. A Mai-Mai Cheka leader, the so-called Colonel Mayele, and the so-called Colonel Sarafim of the FDLR claimed that they had come to protect Luvingi, had decided to participate in the reintegration process and only wanted to rest in the village. The Mai-Mai Checka hail from the Walikale territory and had visited the village often before. Many villagers ran away on seeing the FDLR, but returned when they learned that the FDLR had decided to integrate with the FARDC. That this was a trap became evident only later, as the horror and suffering unfolded. The inhabitants of Luvingi also confirmed to me that the rape victims sought medical attention only after they were certain that the perpetrators had left the area, because severe punishments were inflicted on people who tried to escape.

While the primary responsibility for protection of civilians lies with the State, its national army and police force, clearly we too have failed. Our actions were not adequate, resulting in unacceptable brutalization of the population of the villages in the area. We must do better.

Let me briefly reflect on the main conditions of the area before outlining the actions that would, I hope, improve our response. In North Kivu, the Walikale-to-Pinga road is an important transshipment route for minerals and other natural resources. However, this area, like others in the region, is not electrified and the untarred road is quite broken and difficult to traverse. In the absence of long-term income-generation projects, many male villagers in the area stay away from their families for periods of two to four weeks, undertaking artisanal mining.

The journey from Kibua to Luvingi takes around one and a half hours each way, as I discovered during my visit. It would normally take the villagers some four to five hours to walk the distance in either direction. There is no mobile phone coverage, and even the high-frequency radio coverage is extremely patchy due to the mountainous and forested terrain. The armed groups often wear clothes that are identical to FARDC uniforms, and it is quite difficult for our peacekeepers — and even for the villagers — to distinguish the enemy from the friendly force.

The Kibua company operating base has one interpreter and one mobile satellite phone, thus operationally restricting it to one patrol at any given time, given the distances and conditions of the roads to be traversed. Finally, of course the number of peacekeepers in North Kivu remains quite small — 4,000 peacekeepers for an area of around 59,483 square kilometres.

Continuous efforts at improving relations with the community that we serve and better and institutionalized mechanisms of information-gathering are essential. It has been decided that more evening and night patrols should be undertaken. The Force Commander has further directed the company operating bases to undertake more random and spot-check patrols. It has also been decided that, within the next few weeks, a separate tactical doctrine that builds on the rules of engagement will be developed for the company operating bases and the temporary operating bases to provide our peacekeepers with the necessary guidance to explore deeper when reports of armed group movements are received from particularly high-threat areas — for example, an area that has been recently cleared of armed groups by the FARDC and where reprisal attacks on the civilian population might take place.

A standardized list of questions to be asked during patrols will also be instituted in our effort to ensure that the patrols can and will probe even deeper when interacting with the communities. This doctrine would also cover the response expected from the company operating bases in specific protection situations, building on the guidelines produced within the civilian substantive sections.

The Foreign Minister of the Democratic Republic of the Congo, Mr. Alexis Thambwe Mwamba, remarked to me that victims of rapes are victimized twice — first by the perpetrators and secondly by their communities. It is therefore no surprise that immediate reports of rapes are unlikely to come forward. Therefore, reports of looting and the presence of armed groups in vulnerable areas that had been recently

cleared of their presence would constitute indicators that sexual violence may have occurred even though no reports of rapes are received.

Due to the terrain, the region does not have mobile phone coverage. Active consideration is being given by MONUSCO as to how radio communications can be improved in areas where civilian protection is a particular concern, despite the huge logistical challenges related to this exercise. To this end, efforts are under way to immediately and rapidly install a high-frequency repeater in Luvingi, to be financed within existing resources. However, I wish to take this opportunity to inform the Council that mobile phone coverage does not exist in the area of operations of 27 company operating bases or temporary operating bases out of the total of 77 such forward deployments of MONUSCO forces. The Mission would swiftly evaluate the technical and financial aspects of installing similar high-frequency repeaters in the remaining 27 company operating bases or temporary operating bases without mobile coverage and would report to the Council and to the financial bodies. I would strongly recommend that the Council encourage such high-frequency installations as a matter of priority for better and timely contact between the communities and the forward bases.

Mobile phone coverage available for the other 50 company or temporary operating bases would also be utilized more effectively. MONUSCO is actively engaged with the main private telecommunication providers in the Democratic Republic of the Congo with a view to replicating in these company operating bases, the surveillance centre concept successfully tested in Kiwanja, North Kivu. Closed user groups will be obtained from commercial mobile service providers to allow unlimited calls within a limited number of users to report imminent threats or attacks. I will provide further details to Security Council members and troop-contributing countries in closed meetings so that the information will not be available to the FDLR and other groups.

On 1 September, during my stay, MONUSCO launched Operation Shop Window, a force projection operation for area domination aimed at protecting civilians in the region of Pinga, Kibua and Walikale in North Kivu. The operation is also aimed at providing security cover to the efforts of the relevant authorities to apprehend the perpetrators. Shop Window is carried out by some 750 peacekeepers, supported by attack and observation helicopters, as well as operational bases already deployed in the area of operations. The operational headquarters is based in Kibua.

The initial reports of the operation are positive, with 27 FDLR cadres with 12 automatic rifles and ammunition surrendering at Pinga on the first day, and three FDLR cadres, with firearms, being apprehended on the second day in Luvingi. The operations, which were launched for a period of a week, until 6 September, have been extended in the area until 10 September, and may be further extended after due evaluation.

It is essential that the perpetrators of this heinous crime be swiftly apprehended and brought to justice. Rapid and exemplary punishment would deter others who might repeat similar criminal acts. MONUSCO will make all efforts, including a more aggressive posture of peacekeepers, force multipliers such as Radio Okapi, and information-gathering on these people and the like to assist the efforts of the Government of the Democratic Republic of the Congo in this direction.

I would like to report that the Government of the Democratic Republic of the Congo has already constituted a commission to bring the perpetrators to justice. The commission is composed of an operational military prosecutor, a military magistrate, two judicial inspectors and special police for the protection of women and children. However, reports indicate that, until yesterday, no decision had been taken on the commission's date of departure for Walikale, despite the willingness of various partners to support the project, including MONUSCO, UNDP and the American Bar Association, among others. I would strongly urge the Government of the Democratic Republic of the Congo to take advantage of the assistance that the United Nations can offer the commission. In addition, I would like to recommend, for consideration by the Council, the imposition of targeted sanctions on the leaders of this group — including those within and outside the country — if a chain of command is proven.

More sustained and rigorous efforts need to be made by the Government and the international community to implement the five priorities of the 23 March 2009 Peace Agreements. A number of those demobilized have returned to their former armed groups, thereby discouraging others from seeking the

path of demobilization. Furthermore, in the absence of long-term community reintegration projects, those who return disillusioned are likely to prove more recalcitrant and perhaps more virulent in their actions.

The international security and stabilization strategy remains the main framework for supporting the Government's stabilization and reconstruction plan for war-affected areas. A key objective of that plan is to develop the State's capacity to provide security and enforce the law. Thirty projects are currently being implemented by United Nations agencies, funds and programmes, for a total value of around $190 million. But only one of the plan's programmes is being run in Walikale, as the region is still not considered safe enough to commence the stabilization programme.

Nevertheless, efforts need to be made to channel more projects aimed ultimately at supporting the stabilization of Walikale and other such remote areas, focusing on road access, the reintegration of ex-combatants and the extension of State authority. The lack of State presence on the ground is directly related to the lack of State capacity. Financial constraints, coupled with the lack of a corresponding execution capability of the State, remain a major challenge. In the meantime, the United Nations country team has developed additional programmes, including the expansion of reintegration programmes for ex-combatants, the expansion of road networks and reinforcement of State capacity in the rule of law and local governance. I would appeal to the Government of the Democratic Republic of Congo and to international stakeholders to make the implementation of these projects a priority.

Before I provide a brief update on rapes that occurred in other parts of the country, permit me to express my regret for the delay in providing information to the Council in a timely manner. We have institutionalized mechanisms to speed up the process of information flow between field offices and mission headquarters, as well as between mission headquarters and the Secretariat. The Secretariat remains at the Council's disposal to provide a daily briefing on important developments in this Mission or others, either to the President of the Council or to the Council as a whole, as it may decide.

Let me now refer briefly to the rapes in Uvira and other regions of North and South Kivu. Ten women were raped by elements of the FARDC on 17 August in Katalukulu, in Fizi territory, in South Kivu. I visited the area, as requested during discussions in the Council, on 26 August. While the military prosecutor has opened an investigation, I hope that justice will be quick and exemplary. We have indicated clearly to the FARDC at all levels, from its generals to its lieutenant-colonels — whom I met — that as a national army it will be essential for the FARDC to maintain a much higher standard of discipline, good behaviour and conduct, and observance of human rights.

In North Kivu, on 17 August, there was an attack by a coalition of FDLR and Mai-Mai Cheka in Mubi, 36 kilometres north-west of Walikale on the Walikale-Kisangani axis, slightly on the other side of the road. Initial reports indicate that several houses were looted and 50 civilians were kidnapped to transport looted goods. Two FARDC soldiers died valiantly in that attack and seven civilians were injured. On 25 August, eight days later, the civilians were released; only after that did the reports of rapes start to surface. A MONUSCO joint protection team was deployed to the area on 30 August. The team learned that at least 40 rapes had been committed in that village. Furthermore, in the Pinga area, towards the north-east, in Chuho market, on the same day, 17 August, Mai-Mai Coalition des patriotes résistants congolais, along with the FDLR, carried out 13 rapes.

It appears that many rapes were also carried out in Shabunda and Mwenga, both in South Kivu, during July and August. We received reports on 26 August that in the village of Miki, 74 cases of sexual violence have been recorded in the past two months, including against 21 minors, girls aged between 7 and 15 years, as well as six men. In the nearby villages of Lubumba, Lusosa, Maheta and Masondjo around 395 houses were burned during the same period. An evaluation team is being dispatched by MONUSCO to Miki.

A few days before I was due to leave the Democratic Republic of Congo, on 31 August, we received information that in the territory of Shabunda, between 1 and 20 August, at least 130 cases of rape had been recorded across nearly 10 villages, including 40 cases in Bubila, 42 cases in Tchateka, 14 cases in Tshombi and 12 cases in Lumba. There are some reports, as yet unconfirmed, indicating that in the village of Kiluma all the women might have been systematically raped. Shabunda is not connected by road, and five of the most serious cases were evacuated

by MONUSCO helicopters to the nearest hospital, Panzi in Bukavu, on 1 September, as soon as we learned of this new challenge. The deployment of protection cluster teams led by UNHCR, using MONUSCO air assets, was also undertaken from 3 to 8 September, and a second visit is planned for 10 to 17 September.

I hope that the additional measures that I described earlier in this presentation, particularly the efforts to apprehend and punish the perpetrators, will assist in controlling this spike in violence, especially sexual violence, that we have observed in North and South Kivu during the past two months.

In order to ensure a comprehensive approach, the corrective measures I have just outlined will need to be complemented by other essential efforts, including maintaining the military pressure on the illegal armed groups; the implementation of non-military measures to address the FDLR issue; combating the illegal exploitation of natural resources, which is clearly driving the violence in the region; and establishing effective State authority in the conflict-affected areas. I must also stress that, considering the temporary nature of the presence and efforts of the Blue Helmets, the long-term solution to eradicating the increasing entrenchment of a culture of sexual violence in the Democratic Republic of the Congo lies in building the capacity of the country's security and rule of law institutions and, in particular, transforming the armed and police forces into protectors of the civilian population. And, indeed, that is also the key to the Democratic Republic of the Congo's long-term stability.

Allow me to conclude by making a brief but important reference to the ongoing United Nations-Government of Democratic Republic of the Congo joint assessment that will form the basis of the Security Council's decision regarding the next steps on MONUSCO's drawdown. The process has so far been completed in the eastern regions and is still pending for Katanga, Equateur and the West. The joint assessment has contributed to the building of a common understanding between the Government and MONUSCO of the remaining threats and security challenges, including the complex challenge of protecting the civilian population. A detailed update on progress in this important process will be provided in the next report of the Secretary-General, which is due in October. Nevertheless, the key point I would like to highlight is that the recent spike in violence has demonstrated the need for a cautious approach regarding the next steps in the reconfiguration of the Mission.

To conclude, I feel personally guilty over the people who have suffered this brutalization and I trust that we, all of us, will indeed do better next time.

The President: I thank Mr. Khare for his briefing.

I now give the floor to Ms. Wallström.

Ms. Wallström: I thank you, Sir, and members of the Security Council for this opportunity to brief the Council on this matter of grave concern to the international community and also to say something about the role of my Office. A senior member of my staff, Mr. Tonderai Chikuhwa, accompanied Mr. Khare on his mission to the affected villages in Walikale territory.

But I wish to begin, in complementing Mr. Khare's account, with the survivors. In Luvungi village, one of the women spoke of how they had been forced to live through something like never before. She recounted how armed men went from house to house breaking down the doors, and how people were prevented from escaping because the village had been surrounded. She described how armed men inserted their hands into women's genitals searching for gold. Many women were gang-raped by up to five or six men at a time.

The women of the eastern Democratic Republic of the Congo deserve better. They are the backbone of the country and the mainstay of its largely agricultural economy. Yet in 2010, the sad reality for many women in the eastern DRC is that they are tired. They are tired of wondering when their time will come to be robbed, tortured and raped. For them, there is no safe place. They are raped when harvesting crops, when going to market, when fetching water and firewood, when carrying their babies, and when in their homes at night among their loved ones. Rape does not end when the violence is over. Many survivors are permanently traumatized, unable to return to the fields to earn an income, resulting in increased poverty, isolation and despair. Women live in fear of men carrying guns, often clad in uniform. They cannot distinguish protector from tormentor.

If this is not an illustration of why sexual violence is an impediment to peace, stability and security, what is? Right now, as we meet here in this Chamber, thousands of women, children and families are trying to cope with the trauma of rape. A ripple of devastation emanates from each crime, bringing with it disease, depression and despair. There are Congolese women whose tragic experiences have led them to conclude that being gang-raped by many men is normal for a woman.

When I was in the Democratic Republic of the Congo in April, I stressed that the reputation of the country is being held hostage to the perception that it is the rape capital of the world. The only way to combat such a perception is through determined and visible actions by the Government of the Democratic Republic of the Congo to address impunity and strengthen the rule of law.

With regard to what must happen now, humanitarian actors are now struggling to provide essential health services to survivors. A recent inter-agency mission to Walikale confirmed that, of the 242 survivors who reached Lubongo Health Centre, most had received some medical treatment and psychosocial support. However, none had received post-exposure prophylaxis to protect her from HIV, primarily because they were unable to access care within 72 hours of the incident. Many of the rape victims have still not come forward to receive urgent medical treatment for fear that they are still unsafe or due to the risk of being ostracized by their communities because of the taint of rape, as we have already heard Mr. Khare recall. Indeed, rape is the only violation for which communities tend to stigmatize the victim rather than prosecute the perpetrator, and where victims feel shame.

What is particularly disturbing is that the attacks on Kibua were not an isolated incident but part of a broader pattern of widespread and systematic rape and pillage. I am deeply distressed by information that is now beginning to surface about the large numbers of rapes in other parts of North Kivu, as well as in South Kivu, as outlined in stark detail by Mr. Khare.

It is evident that rape is increasingly selected as the weapon of choice in the eastern Democratic Republic of the Congo, with numbers reaching endemic proportions. The sad reality is that incidents of rape have become so commonplace that they do not trigger our most urgent interventions.

We know that information on the rapes that occurred along the Kibua-Mpofi axis was slow to surface. Therefore, one of the critical lessons we must take from this tragedy is that the actual reporting of rape cases should not be viewed as a prerequisite for robust protection responses. We must be more keenly attuned to other indicators, including the movements of armed groups, their proximity to civilian centres, patterns of looting and pillage, their actions to block off access to certain areas, and the concerns of local women about the security situation. These should all now be considered to be signals that the population is at risk from exactions, attacks and, increasingly, sexual violence.

In Walikale, our information suggests that the rapes were part of a planned and organized attack. Women were rounded up and prevented from fleeing, indicating that sexual violence was explicitly used as a tactic of war and terror. I have previously stressed and continue to maintain that, where sexual violence is planned, it must also be viewed as preventable. Systematic responses to sexual violence have been elusive because, until recently, it was dismissed as an unavoidable consequence of war.

At this moment, we are all compelled to look in the mirror and face our collective responsibility for our inability to prevent the mass rapes in Kibua. The United Nations, for its part, cannot afford to shy away from confronting its shortcomings because such an examination, carried out in a spirit of transparency and accountability, must form the basis for improving our response in the future. Therefore, I welcome and support the concrete recommendations made by Mr. Khare in areas where we can and must improve. That includes our communication with local communities — particularly women — and our capacity to collect and analyse early warning information to trigger timely action.

Through resolution 1888 (2009), the Council has emphasized better monitoring and reporting on sexual violence as a basis for a more effective protection response. Drawing on lessons from the mechanism established to track grave violations against children affected by armed conflict, I will prioritize the establishment of systems for obtaining real-time and actionable information. It is, of course priority number

one to make sure that all the information, reporting and monitoring work well.

However, as we focus on improving the flow of information and data, we must confront squarely the fact that we were too slow to respond to existing information. We should examine the United Nations response, including that of our peacekeepers on the ground, not in a spirit of self-recrimination but with a determination and resolve to do better to protect civilians in what is undoubtedly one of the most complex, vast and volatile conflict zones in the world.

We must also bear in mind that if we expect our peacekeepers to perform more effectively, we have to ensure that they receive the training, knowledge and tools to do so. In that regard, I intend to work closely with the United Nations Development Fund for Women, the Department of Peacekeeping Operations and troop-contributing countries to roll out a new tool that my Office helped to launch in June this year, entitled "Addressing conflict-related sexual violence — An analytical inventory of peacekeeping practice". It contains a range of promising practices employed by peacekeepers to protect women and girls from conflict-related sexual violence. These ad hoc efforts need to be systematized and included in predeployment training as model scenarios that can help peacekeepers recognize and react to sexual violence by armed groups. This document provides, for the first time, a knowledge base to help peacekeepers translate their obligations to preventing sexual violence into actions. It gives examples of early warning systems, patrols tailored to women's mobility patterns, community liaison techniques and other tactics that illustrate a gradual shift from best intentions to best practice.

Turning to another point, the mass rapes in Kibua indicate a connection, as we have already heard, between the illicit exploitation of natural mineral resources, the continuing operations of illegal armed groups and the high levels of violence against civilians in general, and women in particular, in lucrative and strategic areas. We must examine this nexus more closely as one of the root causes of recent atrocities, and more broadly of the protracted conflict in the Democratic Republic of the Congo. I will continue my calls for Governments to enact due diligence measures to track the flow of conflict minerals.

I should also like to stress that the role of the United Nations in the Democratic Republic of the Congo is to support and not to supplant the Government as the primary protection and service provider. It is clear that deploying a well-trained, vetted and permanent Forces armées de la République démocratique du Congo and National Police presence that prioritizes the protection of civilians is critical in high-risk zones. I also urge the Government to reinforce its efforts to address impunity and strengthen the rule of law, particularly in the context of sexual violence. For our part, I reiterate the offer to deploy a team of experts on the rule of law, as called for by resolution 1888 (2009), to support the Government in that regard. My Office is in the process of constituting that team and I hope that we may soon agree on the timing and modalities for its deployment.

I have also been concerned that the intense focus on the response of the United Nations has deflected attention from the most critical element of all — pursuing and bringing to justice the perpetrators. As the spotlight falls on the United Nations and what we could have done differently, the perpetrators — those who committed or commissioned rape and pillage — seem to have escaped from the scene of the crime and slipped into the shadows. This challenges our collective credibility and undermines efforts to deter such atrocities in future.

As the Council has heard, we already have some names, such as Colonel Mayele, the Mai Mai Cheka Chief of Staff, and Colonel Serafim of the Forces démocratiques de liberation du Rwanda (FDLR), who was present on the scene. Cheka himself, as well as the political and military leadership of the FDLR, may ultimately bear command responsibility for crimes by their subordinates that they failed to prevent or punish. These names are a starting point and constitute leads and leverage by which we may also identify some of the other participants in and architects of the mass rapes in Kibua. I believe that we have a narrow window of opportunity before the trail goes cold and the attention of the international community and media turns to other crises, dissipating the pressure on these groups. My role is to ensure sustained international attention through public advocacy and direct political dialogue.

The Council has encouraged systematic United Nations engagement with armed groups that commit grave violations against children affected by conflict. This approach has yielded tangible results. In line with resolution 1820 (2008), I intend to pursue such

engagement with State and non-State actors alike to ensure that perpetrators of conflict-related sexual violence are held accountable and prevention measures put in place. In that regard, the Security Council has unique means at its disposal. This includes the black-listing of individuals and entities and the imposition of sanctions and other targeted measures, which add leverage in our dialogue. I therefore urge the Council to take such action, beginning with the commanders of the armed groups responsible for the atrocities committed in Kibua.

Furthermore, I believe that the Security Council is primed to take such action through its sanctions Committee for the Democratic Republic of the Congo. Resolutions 1857 (2008) and 1896 (2009), which specify the mandate of the sanctions Committee, establish a legal basis for the imposition of sanctions on individuals operating in the Democratic Republic of the Congo who commit sexual violence. I urge the Council to follow up on this provision by mandating the Democratic Republic of the Congo Sanctions Committee to gather all necessary information from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the Committee's Group of Experts, as well as from non-governmental organizations (NGOs) and other humanitarian actors who may have relevant information. My Office stands ready to facilitate such a process. The FDLR has time and again been responsible for grave human rights violations in the Democratic Republic of the Congo. I therefore urge Member States that have FDLR leaders residing in their countries to take legal action against them in line with resolution 1925 (2010).

On the ground in the Democratic Republic of the Congo, the United Nations, together with the Government, last year launched a comprehensive strategy on combating sexual violence in the country. The strategy has five pillars: combating impunity, prevention and protection, security sector reform, multisectoral assistance for survivors, and data collection and mapping. It is being supported and financed by donors through the Government's Stabilization and Reconstruction Plan for the eastern part of the country, and has created a platform for a coordinated, comprehensive response by all actors. We need to support and strengthen this coordination platform, reaching out particularly to NGOs that provide frontline services. Their critical role has once again been exemplified by the work of such organizations as the International Medical Corps and Heal Africa in response to the mass rapes in Kibua.

MONUSCO's sexual violence unit is charged with coordinating the implementation of the Strategy. We must ensure that it has adequate capacity to effectively perform this function. My role is to help mobilize resources for the full implementation of the Strategy, as well as to ensure strategic support from the United Nations Action Network that I chair.

Finally, we cannot turn back time for the victims of Kibua or for the countless other survivors of brutal acts of organized sexual violence. As we strive to help these survivors, we must do our utmost to ensure there are no more victims. These unconscionable acts must spur every one of us as protection duty-bearers to immediate and concerted action. This is our collective responsibility to the survivors and our collective signal to the perpetrators, who are watching and waiting to see how the world will react. Our policies of zero tolerance cannot be backed by a reality of zero consequences.

I intend to return to the Democratic Republic of the Congo by the end of September to engage with all stakeholders and, above all, to listen to the survivors.

The President: I thank Ms. Wallström for her briefing.

I now give the floor to the representative of the Democratic Republic of the Congo.

Mr. Ileka (Democratic Republic of the Congo) (*spoke in French*): I will be brief. Allow me at the outset to express to you, Sir, my joy at seeing you preside over the Security Council this month. Indeed, you represent a country, Turkey, with which my country, the Democratic Republic of the Congo, enjoys very close relations marked by mutual respect and esteem.

I also thank you for having kindly agreed to convene this important meeting of the Security Council on the situation in the Democratic Republic of the Congo, in particular following the tragedy in Luvungi. You have thereby given me yet another opportunity to express my deep disgust over the mass rapes that took place there a month ago over the course of four days and nights, in full impunity. Those heinous acts, wielded as a weapon of war, are yet another chapter in

the unspeakable suffering of the men and women of the Congo over the course of more than a decade.

The Council has just heard an exhaustive briefing from Assistant Secretary-General Atul Khare. I should like to acknowledge its importance and to offer him my full appreciation. Similarly, I wish most sincerely to thank Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, for her important statement on the issue at hand. The briefings of the Assistant Secretary-General and the Special Representative, which the Council will shortly consider during its private consultations, should be followed up with solutions, proposals and specific action. Some delegations will be tempted to seek the easy way out by imposing a litany of sanctions that will have no impact in the reality of the deep equatorial forests and will be entirely ineffective and incapable of offering relief from the daily and now commonplace horror that our men and women have, as I have noted, experienced for more than a decade.

In the quest for appropriate solutions to these mass rapes, which we all regret and condemn, I shall begin by being politically incorrect. The criminals — at least, those of Congolese nationality — who committed these reprehensible acts are mostly young and themselves the products, and thus the victims, of a war that has gone on far too long and which we have endured for more then 15 years. This should give us food for thought with respect to the impact of the war on the young people of the Democratic Republic of the Congo.

Nevertheless, a crime is a crime, and in this case we need to take robust action against the criminals. I recall that my Government takes the issue of sexual violence most seriously. Sexual and gender-based violence are unspeakable and should be condemned wholeheartedly. They are a scourge that must be eradicated. A small number of the Mai-Mai bandits have been identified by the Congolese authorities and are currently incarcerated and awaiting trial. Similarly, I must inform the Council that the zero-tolerance policy followed by the Government will be tirelessly applied to the uncontrolled elements of the Forces armées de la République démocratique du Congo who are found guilty of rape.

But that is not enough. In our humble view, the Security Council and the Secretary-General would benefit by instructing the Special Representative for the Democratic Republic of the Congo and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to fully implement the relevant provisions of resolution 1925 (2010), and particularly its paragraphs 6 and sub-paragraphs (a), (c) to (f) and (h) of paragraph 12 under Chapter VII of the Charter in support of the Government's pursuit, arrest and trial of the perpetrators so that they can be held accountable for their acts.

It will be recalled that, since 2008, we have advocated more robust United Nations action, jointly with us, to put an end to the activities of these agents of death in our country. At that time, following the pressure brought to bear by a number of non-governmental organizations (NGOs) — particularly international NGOs — that was not possible. Today, those same NGOs are calling for an urgent public inquiry into the rapes. I say yes to such an inquiry. In any case, who could or would dare oppose such an inquiry? At the same time, however, I call for an end to a certain hypocrisy. Would such an inquiry put an end to these atrocities. I doubt that, and will speak out against this way of making the suffering and misery of my compatriots into bargaining chips.

I remain convinced that, had the Council deigned to give the United Nations Organization Mission in the Democratic Republic of the Congo sufficient personnel and equipment in 2008, two years ago, we would be much further along in the peace process today and in re-establishing the authority of the Government throughout the national territory. How many more rapes and other violations of human rights must we again condemn before we understand that we must pursue these terrorists and assassins resolutely if we are to promote a return to normalcy?

Other delegations will say that it is above all the responsibility of the Government of the Democratic Republic of the Congo to ensure security throughout its territory and to protect its civilians. That is true, but let us stop turning a blind eye. If we could do so by ourselves, we would not have needed MONUSCO or the whole international presence in our country. Similarly, if this Council believes that MONUSCO cannot help us in that respect, then its presence is totally useless and members will have to draw the clear conclusion that it must be withdrawn so that we can address our own demons, be they domestic or imported.

Lastly, some delegations will seek to attach blame for the dysfunctional prevention and response to the news of the mass rapes. As well noted by the Assistant Secretary-General, the area of North Kivu province is larger than that of many European countries. The province lacks those countries' infrastructure and services. The rugged terrain and lack of communications are an explanation, but not an excuse. The province also has the densest concentration of armed men in the country, but their total number is sorely inadequate to covering the areas of operations in comparison to the abilities of the armed forces of the European countries. Finally, the resources of the national police are truly pathetic. How can the police act in such conditions against assassins armed with war matériel. It is tantamount to mission impossible.

What can and should we do? While I appreciate the recommendations and ideas put forward by the Assistant Secretary-General and the Special Representative, I should also like to advance a limited number of options.

In the near term, we should provide medical assistance to the victims. Any assistance, wherever it may come from and whatever its nature, is welcome. In that regard, we wish sincerely to thank the United Nations agencies that have already provided substantial assistance.

Again in the near term, psychiatric and psychological treatment for victims is essential. Rapes having devastated several small villages around Luvungi and Walikale, it will also be vital to create space for dialogue that includes local chiefs, churches and community networks, with a view to preserving the fabric of the families of those villages as far as possible. Moreover, perpetrators must be pursued, apprehended and tried. The Government is already working to that end. For its part, MONUSCO also needs to do the same and to assist the Government, as I have said, under Chapter VII.

We need to train and equip national and local police in order to better ensure the protection of local people while the army seeks to restore public order. The Government has already made a request in that regard. To date, the response has been one of deafening silence.

Lastly, we need to support the national justice system. It should be in a position to fully play its role both in putting an end to impunity and in awarding the victims restorative justice. It is urgent and important to provide my country with sound national structures for the protection of human rights and an appropriate institutional framework under which criminals must answer for their acts.

In conclusion, I would like to recall that, in absolute terms, the Congolese people have by far paid the heaviest price for the breakdown in international peace and security, which has continued in the Great Lakes region for nearly two decades now. Millions of my sisters and brothers have been massacred. It is they, not the nationals of another country, who are the victims of sexual violence.

The horror goes on. Atrocities continue with little hope for justice. We ask the Council to have the courage and the political will to decide justly so that the Congolese people can at last believe in improved prospects, enabling them to envisage with much greater calm the future of a country and a region where greater peace, security, justice and prosperity will reign. For, ultimately, restoring genuine peace will put an end to those crimes that we all condemn.

The President: I thank the representative of the Democratic Republic of the Congo for his statement.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the course of the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 4.15 p.m.

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Liberia

Twenty-first progress report of the Secretary-General on the United Nations Mission in Liberia (S/2010/429)

The President: I should like to inform the Council that I have received a letter from the representative of Liberia, in which she requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Kamara (Liberia) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General and head of the United Nations Mission in Liberia.

It is so decided.

I invite Ms. Løj to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of members to document S/2010/429, containing the twenty-first progress report of the Secretary-General on the United Nations Mission in Liberia.

At this meeting, the Security Council will hear a briefing by Ms. Løj. I now give the floor to Ms. Løj.

Ms. Løj: I would like to thank you, Sir, for this opportunity to present the twenty-first progress report of the Secretary-General (S/2010/429) on the United Nations Mission in Liberia (UNMIL). In doing so, I extend my appreciation to the members of the Security Council for their support to the work of the Mission. As many of them know, I have been engaged with Liberia for several years now, from when I served on the Council and chaired the sanctions Committee in 2005 and 2006, through my present appointment as the Special Representative of the Secretary-General and coordinator of United Nations operations.

From this vantage point, I can attest to the tremendous progress that Liberia has made in recent years, much of which has been made possible by the security umbrella that the United Nations peacekeeping mission has provided. I must also praise President Ellen Johnson-Sirleaf for her strong commitment to peace consolidation and the advancement of Liberia's development goals. As I have previously stated in this Chamber, nowhere is it more clearly illustrated than in Liberia that there cannot be sustainable security without development, and there cannot be sustainable development without security.

Council Members will already have had a chance to read the Secretary-General's most recent progress report detailing recent developments in the country. I will thus focus my remarks on some recent events that illustrate that a number of critical areas still need to be addressed to achieve further progress and to enable UNMIL to successfully hand over its responsibilities.

While the overall situation in Liberia has remained stable, it continues to be fragile, and additional progress is needed in a number of areas to truly consolidate the peace. Liberia has asked to be added to the agenda of the Peacebuilding Commission (PBC) and hosted a visit from the Commission just a few weeks ago. The Government has specified rule of law, security sector reform and national reconciliation as important priority areas to the Commission. If I may add, Liberia being on the agenda of the PBC would offer a unique opportunity for the Security Council and the Commission to ensure that peacekeeping and peacebuilding efforts become mutually supportive in line with resolution 1645 (2005).

Security within the subregion is calm but fragile, and the Mission continues to monitor developments along the borders very closely, as well as recent events in Guinea and Côte d'Ivoire. UNMIL's presence represents a stabilizing influence in the subregion and

serves as a deterrent to illegal cross-border activities, including drug trafficking.

Internally, Liberia still faces potentially destabilizing security challenges arising from mob violence, ethnic and communal tensions, competition for natural resources, land disputes, sexual and gender-based violence, and armed robbery. Alarming rates of unemployment, including among youth and ex-combatants, raise further security concerns. UNMIL has also noted the increasing availability of regionally made guns, which are smuggled into Liberia. These are quickly becoming the weapons of choice for many criminals, illegal rubber-tappers and those engaged in illegal mining. UNMIL has intensified its work with the Government to address the legislative and operational gaps in small arms control in Liberia.

Security incidents, like those described in the progress report in Harper and Lofa raise serious concerns. Many are originally sparked by minor incidents that quickly develop into large-scale security situations. These easily overwhelm local security institutions and require UNMIL intervention to contain. Numerous prison disturbances have also arisen in reaction to poor conditions and outbreaks of disease, and unfortunately, needs are addressed only when they culminate in violence. Also, just last week, violence erupted on the grounds of one of Liberia's larger rubber plantations, the LAC plantation in Grand Bassa county. The issue is all too familiar, as workers in large concession areas continue to clash with company management in the pursuit of improved labour conditions, and local security actors are unable to contain these alone.

Liberians' low confidence in the justice system highlights the importance of strengthening the rule of law and security institutions. One year ago, following my briefing to the Council, representatives of the Government of Liberia presented strategic plans for key security institutions in a special partners' forum. While I believe that those presentations were well received, the plans still require substantial donor support if they are to be effectively implemented. Given the fact that Liberia's major security threats are internal rather than external, it will be important to ensure that security agencies, especially the police, immigration and corrections services, are strengthened to meet their future operational challenges.

While we continue to encourage the Government to progressively increase budgetary allocations to the security sector, we are all fully aware of the financial limitations. The reality is that much more external support will be required, and I cannot appeal strongly enough to Member States to come forward to support the Government in these endeavours.

The Liberian political scene is fully seized with preparations for the 2011 presidential and legislative elections, and much activity has been ongoing to adopt key legislation, mobilize resources and build capacity. In late July, the legislature adopted a joint resolution that will serve as the framework for the next elections, commonly referred to as the Threshold Bill. This law is a political compromise reached after months of debate, and endorses the current 64 seats in the House of Representatives while adding another nine seats to be delineated by the National Elections Commission. This compromise was a significant achievement since earlier versions of the bill were highly controversial and had even been vetoed twice by the President.

Both legislative houses recently enacted another outstanding piece of legislation, a joint resolution proposing amendments to election-related provisions of the Constitution. These amendments include moving election day from October to November in order to move it out of the rainy season by a few weeks, and allowing simple majorities to determine winners in all electoral races, except for the two highest offices, President and Vice-President. For these changes to the Constitution to take effect, a referendum is needed, but cannot be held less than 12 months after the legislature's action. The National Elections Commission has indicated that it will not be possible for it to conduct a referendum before the next elections.

As is mentioned in the Secretary-General's progress report, the 2011 elections will be a critical test for Liberia on its path to democratic stability. The Government and its partners have been busy preparing for this important event, and the electoral timetable was announced on 27 August, with voter registration to start in January. However, the National Elections Commission will not be able to successfully organize elections without the international community's support. While considerable pledges have been made, more is needed, particularly if the constitutional amendments are not yet applicable and the

Commission is faced with having to conduct more than 80 runoffs across the country.

National reconciliation is crucial to durable peace in Liberia. The President recently submitted her second quarterly report on the implementation of the Truth and Reconciliation Commission's recommendations. In it, she reaffirmed her support for a nationwide Palava Hut programme, a traditional reconciliation mechanism in which perpetrators can publicly ask for forgiveness, and named a range of actors to become involved in addressing recommendations in a number of other areas, including prosecution. The Truth and Reconciliation Commission's report, especially the implementation of its recommendations, remains a key point of interest, but other measures to address root causes of the conflict also deserve attention. The President has presented a new set of nominees to the Independent National Commission on Human Rights to the Senate for consideration, and it is hoped that they will soon be confirmed. This is crucial, as the Commission will be necessary both to support reconciliation efforts and to serve as a publicly accessible human rights institution for all Liberians.

While deeper issues and cleavages in society have yet to be addressed, the Government has also announced an ambitious initiative, the Liberia National Vision 2030, linked to achieving economic growth and strengthening national identity and citizenship, which should help make these issues more prominent in public discourse. All of these programmes need to be designed in an inclusive manner to ensure that Liberia never again experiences the nightmare that its people suffered in the recent decades of conflict and war.

A considerable milestone was achieved this summer when Liberia reached the Heavily Indebted Poor Countries (HIPC) Debt Initiative completion point, qualifying for debt relief of $4.6 billion. Reducing the country's debt burden frees up resources to finance expenditures in areas critical to the success of the poverty reduction strategy, now in its final year of implementation. The Government's sustained implementation of a strong macroeconomic programme and ambitious reform agenda was instrumental in Liberia's completion of the HIPC process.

However, it is important to note that the Government still faces extreme financial constraints. The proposed budget for the current fiscal year still being debated in the legislature totals just $347 million to cover all Government expenditures. The needs are daunting, especially in a country building its institutions, facing extremely poor infrastructure, and struggling to provide basic social services to its population. Furthermore, while significant progress has been made in strengthening accountability and transparency, more effort is needed to tackle corruption, which has the potential to seriously hinder Liberia's development objectives.

I am pleased to highlight the efforts undertaken by the Government of Liberia and the Mission to advance planning for the handover of security responsibilities, including at the level of the Government security pillar and the National Security Council. As demonstrated in the June workshop on security transition planning and in subsequent work, the Government has taken ownership of the process and recognizes the need for early planning to provide the time and space for Liberia to stand up security institutions, especially the police. We are jointly working on a comprehensive situational assessment and identifying gaps in individual security agencies that will have to be filled to ensure a successful transition. As part of this process, it is envisioned that our current consolidation, drawdown and withdrawal benchmarks, which covered the Mission's drawdown phase, will be revised to incorporate specific transition-related indicators and thus become transition benchmarks.

The Mission will also continue its work with the United Nations country team related to handing over and phasing out its civilian activities, and at the same time adjusting the work of the United Nations in response to the Government's request that Liberia become a self-starter delivering as one country. A high-level summit on delivering as one is planned for October to formally endorse the initiative and establish a joint steering committee. With the final year of implementation of the poverty reduction strategy now under way and the Government looking ahead to its next development strategy, continued coherence among United Nations actors and other partners will be of paramount importance to achieving desired results.

I would be remiss if I did not use this opportunity to express our appreciation to the troop- and police-contributing countries for their support to the Mission. I would also appeal to them to ensure that awareness of sexual exploitation and abuse is raised before police and troops deploy to the Mission area and that timely

follow-up of investigations takes place. I would like to reiterate my request to troop and police contributors to inform the Mission of investigation outcomes and of any measures taken against those found responsible for any infraction. As Special Representative of the Secretary-General for Liberia, I spare no opportunity to raise the issue of sexual exploitation and abuse with all personnel, civilian and uniformed alike. By working closely together with our troop and police contributors, I trust that we can do better to encourage all members of the Mission to refrain from these demeaning acts — acts that in themselves defeat the whole purpose of our work.

Let me conclude by stating that there have been many positive developments in Liberia. Seven years of unbroken peace — the longest in decades — have allowed Liberians to begin to believe, to be optimistic about the future and, day by day, to start taking charge and shaping the direction of their country. However, these positive developments are tempered by a fragile peace that relies heavily on the presence of UNMIL military and police.

Liberia will continue to require substantial international support and assistance for the foreseeable future. Recovering from a long civil war requires leadership, resources and time. The Government of Liberia is providing the leadership and readiness to take ownership. Donors need to be generous and expectations need to be realistic about how quickly goals can be realized. I am confident that Liberians can count on the continued support of the Council.

The President: I thank Ms. Løj for her briefing.

I now give the floor to the Permanent Representative of Liberia.

Ms. Kamara (Liberia): I did not come prepared to make a statement, but I think the least that I can do is, through the Council, to express our appreciation for the support that has been provided to Liberia over time by the peacekeeping Mission and by the continued extension of its mandate and presence.

I also want to express our appreciation to troop-contributing countries that have deployed their forces in Liberia and constitute the mainstay of peace and security, as the Special Representative of the Secretary-General has stated. I also want to thank her for the exceptional guidance that she is providing to the peacekeeping Mission.

Liberia appreciates all the support that it is receiving. The Government is making tremendous efforts to move forward with the rehabilitation and reconstruction programmes. I would like to confirm what the Special Representative of the Secretary-General has said to the effect that, while we are grateful for what has been provided, continuous support is indeed needed. We are hopeful that placing Liberia on the agenda of the Peacebuilding Commission will give further impetus to the efforts that are taking place on the ground.

I would again like to thank the President for the opportunity to participate in this meeting.

The President: There are no further speakers inscribed on my list.

In accordance with the understanding reached in the course of the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.35 a.m.

United Nations S/PV.6380

Security Council

Distr.: General
9 September 2010

Original: English

Official communiqué of the 6380th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Thursday, 9 September 2010, at 10.10 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 9 September 2010, the Security Council, pursuant to annex II, sections A and B of resolution 1353 (2001), held its 6380th meeting in private with the troop- and police-contributing countries to the United Nations Stabilization Mission in Haiti.

"The Security Council and the troop- and police-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Farid Zarif, Director of the Europe and Latin America Division of the Department of Peacekeeping Operations.

"Members of the Council, Mr. Zarif and representatives of participating troop- and police-contributing countries had an exchange of views."

10-51186 (E) 090910

Please recycle

United Nations S/PV.6381

Security Council

Sixty-fifth year

Provisional

6381 st meeting

Thursday, 9 September 2010, 11.30 a.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Bühler
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mr. Moretti
	China	Mr. Wang Min
	France	Mr. Bonne
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mr. Lolo
	Russian Federation	Mr. Karev
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Ms. Adams
	United States of America	Ms. DiCarlo

Agenda

Election of a member of the International Court of Justice (S/2010/442, S/2010/443 and S/2010/444)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-51115 (E)

Please recycle

The meeting was called to order at 11.50 a.m.

Adoption of the agenda

The agenda was adopted.

Election of a member of the International Court of Justice (S/2010/442, S/2010/443 and S/2010/444)

The President: I should like to recall that, at its 6327th meeting, on 2 June 2010, the Security Council adopted resolution 1926 (2010), by which it decided that the election to fill the vacancy in the International Court of Justice should take place on 9 September 2010 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-fourth session.

This morning, the Security Council and the General Assembly will proceed independently with the election, in accordance with the relevant provisions of the Statute of the Court, for the purpose of filling the vacancy that occurred on 6 September 2010 owing to the resignation of Judge of the International Court of Justice Mr. Thomas Buergenthal of the United States of America.

The Security Council has before it document S/2010/443, which contains the list of the nominations of a candidate by national groups of States parties to the Statute of the International Court of Justice. Following the deadline for nominations, a nomination of the same candidate was also received from the national group of Colombia.

The Security Council also has before it document S/2010/444, which contains the curriculum vitae of the candidate nominated by the national groups, as well as a memorandum by the Secretary-General (S/2010/442) that describes the present composition of the Court and sets out the procedure to be followed in the conduct of the election.

I should like to remind the Council that, in accordance with Article 10, paragraph 1, of the Statute of the International Court of Justice,

> "Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected."

The required majority in the Security Council is eight votes.

Article 15 of the Statute of the Court provides that

> "A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term."

Accordingly, the member elected to fill the remainder of the term left vacant by the resignation of Judge Thomas Buergenthal will serve until 5 February 2015.

The Council will now proceed to draw lots to select two delegations to serve as tellers. The delegation of the United States will not be considered to serve as a teller because a candidate of that nationality has been nominated. The delegation of Turkey will also be excluded from serving as a teller because it occupies the presidency of the Council this month.

* * *

The President: The names of the delegations of Bosnia and Herzegovina and Lebanon have been drawn. I request them to appoint one of their members to serve as tellers.

At the invitation of the President, Mr. Vukašinović (Bosnia and Herzegovina) and Mr. Karanouh (Lebanon) acted as tellers.

The President: The voting will be held by secret ballot. When we proceed to the vote, members of the Council will receive a ballot paper containing the name of the candidate. Members of the Council will be requested to place an "X" in the box next to the name of the candidate for whom they wish to vote. Votes may be cast only for a candidate whose name appears on the ballot paper.

I should like to remind members of paragraph 14 of the Secretary-General's memorandum (S/2010/442), which specifies that each elector may vote for only one candidate. Any ballot paper containing votes for more than one name will be considered invalid. When a candidate has obtained the required majority of eight or more votes, I shall communicate the result to the President of the General Assembly, and I shall request the Council to remain in session, pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

May I take it that the Council is now ready to proceed with the election of a member of the International Court of Justice?

It is so decided.

I request the Conference Officer to distribute the ballot papers.

Members of the Council should place an "X" in the box next to the name of the candidate for whom they wish to vote.

* * *

The President: All the ballot papers have been collected. The tellers will now count the ballots. There will be two independent countings of the ballots, one by each teller.

I propose, with the consent of the Council, to suspend this meeting until the ballots are counted. There being no objection, it is so decided.

The meeting was suspended at 12.05 p.m. and resumed at 12.30 p.m.

The President: The result of the voting is as follows:

Number of ballot papers:	15
Number of invalid ballots:	0
Number of abstentions:	0
Number of valid ballots:	15
Required majority:	8
Number of votes obtained:	
Joan E. Donoghue (United States of America)	15

Accordingly, candidate Joan E. Donoghue has obtained the required majority of votes in the Security Council.

I shall now send a letter to the President of the General Assembly informing him of the result of the voting in the Security Council.

I request the Council to remain in session while we wait for the President of the General Assembly to inform the Council of the result of the voting in the Assembly.

* * *

The President: I should like to inform the members of the Council that I have just received from the President of the General Assembly the following letter:

> "I have the honour to inform you that, at the 118th plenary meeting of the General Assembly, held today for the purpose of electing a member of the International Court of Justice, Ms. Joan Donaghue obtained an absolute majority of votes in the General Assembly."

As both the Security Council and the General Assembly have agreed on the same candidate, Joan E. Donaghue has been elected as a member of the International Court of Justice for the remainder of the term of office of Judge Thomas Buergenthal, that is, until 5 February 2015. I should like to congratulate her and wish her every success in the high office to which she has been elected. I should also like to thank the tellers for their assistance.

The Security Council has thus concluded its business for this meeting.

The meeting rose at 12.35 p.m.

United Nations S/PV.6382

Security Council

Sixty-fifth year

Provisional

6382nd meeting

Monday, 13 September 2010, 10 a.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	France	Mr. Briens
	Gabon	Mr. Issoze-Ngondet
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mr. Onemola
	Russian Federation	Mr. Churkin
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

The question concerning Haiti

Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2010/446)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-53060 (E)

Please recycle

The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The question concerning Haiti

Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2010/446)

The President: I should like to inform the Council that I have received letters from the representatives of Argentina, Canada, Chile, Colombia, Haiti, Norway, Peru and Uruguay, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mérorès (Haiti) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Edmond Mulet, Special Representative of the Secretary-General for Haiti and head of the United Nations Stabilization Mission in Haiti.

There being no objection, it is so decided.

I invite Mr. Mulet to take a seat at the Council table.

I should like to inform the Council that I have received a letter dated 8 September 2010 from His Excellency Mr. Peter Schwaiger in which he requests to be invited, in his capacity as deputy head of the delegation of the European Union, to the United Nations to participate in the consideration of the item on the Council's agenda.

If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Peter Schwaiger.

There being no objection, it is so decided.

I invite Mr. Schwaiger to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of Council members to document S/2010/446, which contains the report of the Secretary-General on the United Nations Stabilization Mission in Haiti.

At this meeting, the Security Council will hear a briefing by Mr. Edmond Mulet, to whom I give the floor.

Mr. Mulet (*spoke in French*): I have the honour today to introduce the report of the Secretary-General (S/2010/446) on the United Nations Stabilization Mission in Haiti (MINUSTAH), issued on 1 September. Since the last such report was issued on 22 April (S/2010/200), progress has been made in moving the political process forward, maintaining the security gains of recent years, and supporting humanitarian and recovery efforts.

In spite of a fragile political context and a difficult humanitarian situation, I welcome the decision of the Government of Haiti to call its citizens to the polls on 28 November. The elections represent a significant phase in the process of consolidating democracy and re-establishing the State since the earthquake. The elections are also extremely important because they will lead to the election of those who will guide the State during the rebuilding effort over the coming five years. It is therefore critical that they be credible and legitimate, leading to the formation of a Government and National Assembly that will enjoy clear and unchallenged mandates.

It is also critical to encourage as wide a national participation as possible. I have already asked the competent authorities to launch a public education campaign to inform and mobilize the electorate. Through its good offices, MINUSTAH has contributed to the emergence of a political consensus on the

elections, and I commend the 66 parties and coalitions that will participate in the legislative and presidential ballots. That figure includes political parties that initially sought the early departure of President Préval but have now joined in the constitutional electoral process.

In collaboration with the Organization of American States, the United Nations Development Programme and other partners on the ground, MINUSTAH will do its part by providing logistical and security support and coordinating international electoral assistance in order to ensure smooth elections. However, I would underscore the importance of Haitian leadership in this area, and have already called on the Haitian political actors and authorities — in particular the Provisional Electoral Council — to work in transparency and in compliance with Haitian law and democratic principles.

The security situation in Haiti remains generally calm but fragile. Despite an upsurge in crime since 12 January, the number of incidents is comparable to that of 2009. However, weak institutions, the presence of camps for internally displaced persons, an increase in gang activity and the instability that characterizes electoral periods in Haiti contribute to creating a volatile security environment. I remain concerned by the situation in the camps, where vulnerable groups — particularly women and children — are liable to be victimized by sexual and gender-based violence. MINUSTAH has therefore established a multidisciplinary Internally Displaced Person Camp Unit that will act in support of the Haitian National Police in maintaining security in the camps.

I should like to note, however, that it is impossible to guarantee complete security coverage in the 1,300 camps by the staff available to the National Police and MINUSTAH. The Haitian States estimates the number of displaced persons to be 1.3 million. The Ministry of Public Works, Transport and Communications and the United Nations Office for Project Services undertook a structural assessment of 230,000 buildings that revealed that half are structurally sound and one quarter need some repair work, while another quarter are recommended for demolition.

In spite of these results, the return of displaced persons remains slow, and reconstruction is being impeded by the presence of debris and the lack of a land register. With respect to the latter, decisive national leadership will be necessary in addressing the problem of property titles and right-to-housing law. A balance will have to be struck between emergency services to the population and the need to encourage their return to the communities or neighbourhoods they came from. That will require, inter alia, the provision of adequate shelter and basic services, particularly in health and education, to motivate returns. At the same time, forced evictions of displaced persons are of concern. The Protection Cluster Working Group has called for an official moratorium on forced evictions in order to protect the rights of the most vulnerable victims of the quake.

Since 12 January, the immediate humanitarian needs of displaced persons have largely been met. In addition to significant distribution of essential humanitarian goods, more than 150,000 persons have been employed in various cash- and food-for-work projects. The humanitarian community has begun to build sound temporary shelters. The United Nations and its partners hope to build 139,000 such shelters by mid-2011.

The vulnerability to hurricanes of displaced persons and the population in general is of concern. MINUSTAH and the United Nations country team have taken measures in support of the Haitian authorities to prepare a response to the hurricane season, in particular by creating logistical centres, prepositioning emergency food rations, and assessing the vulnerability of camps. The MINUSTAH military component has also launched exercises to prepare for new disasters and to update its contingency plans.

The Government of Haiti has developed its own capacity with respect to the coordination of humanitarian and recovery activities. The President has created the Presidential Commission on Resettlement, which he co-chairs with my Deputy, Mr. Nigel Fisher. The Commission is working with the humanitarian community on the development of a strategy and operational plans to guide the relocation of displaced persons living in camps. The United Nations country team and the Prime Minister's Office are working to further integrate the existing humanitarian structures into the national coordination architecture, led by the Ministry of Planning. The Government has also reactivated sectoral coordination groups (Tables sectorielles), based on the priorities identified in the Action Plan for National Recovery and Development. Moreover, the leadership of the majority of

humanitarian clusters has been transferred to counterparts in ministries.

The Interim Haiti Recovery Commission, co-chaired by Prime Minister Bellerive and former United States President Clinton, was established on 21 April. At its most recent meeting on 17 August, the Commission approved 29 projects totalling $1.66 billion. Eight of these have been presented by the United Nations system, which must now mobilize more than $200 million to implement them. At present, excluding debt forgiveness, $506 million, or 18.9 per cent of the pledges for 2010, have been spent.

I would like to remind Council members that the co-Chairs of the Commission have let indicated that efforts to speed up its work are limited by the slowness of the financing promised at the New York conference on 31 March. Now that several projects await financing, I call on the donors to disburse the promised funds rapidly.

In resolution 1927 (2010), the Security Council called on MINUSTAH to provide the Government of Haiti with logistical support and technical assistance. MINUSTAH intends to provide this support selectively in order to allow for the arrival of donors' funding. A plan has thus been developed to provide temporary space and basic office equipment to the Ministry of Justice and Public Security, to the judicial and correctional institutions, to the National Police and to local administrations so that they can maintain operations. The cost of this logistical support is estimated at $7.9 million for the current budget period. That represents less than 1 per cent of MINUSTAH's budget proposal, which will be presented to the General Assembly in the autumn. At the same time, MINUSTAH and the country team will assist these governmental institutions in preparing to submit their projects to the Commission.

After this short survey, I would like to inform the Council of the most recent developments since the Secretary-General's report was drafted in mid-August, in order to give Council members as up-to-date an overview as possible of the situation.

In the area of elections, MINUSTAH's support for the Provisional Electoral Council has allowed us to stick to the current electoral timetable. Nonetheless, it is a very tight schedule and the Council must continue to comply with it to ensure that elections will indeed be held on 28 November. The next important stages will be the launching of the electoral campaign on 27 September and the posting of the electoral list on 29 October. I wish to draw the Council's attention to the complexity of the process of registering voters who have lost their national identity cards, a significant fraction of the displaced population. I have asked the Office national d'identification and its partners to redouble their efforts to allow the earthquake victims to exercise their constitutional rights. The evaluation of security has been completed in almost all the voting centres. The National Police and MINUSTAH have completed an integrated security and logistics plan, but even if all the pledged fund contributions materialize, we will still have a $2-million shortfall.

In the area of humanitarian issues, the International Organization for Migration has registered about 1.25 million displaced persons. Twelve thousand temporary shelters have been built. A contingency plan for the hurricane season has been prepared, including pre-positioning supplies and food for about 600,000 people.

In regard to policing, I welcome the fact that the National Police Academy's twenty-second class has begun training. When it graduates in seven months, the 900 recruits will join the ranks of the Haitian National Police — 500 as police officers, 300 as corrections officers and 100 as coastguards. Furthermore, in the context of our efforts to arrest prison fugitives and gang members, United Nations police officers (UNPOL) are supporting the Haitian National Police in sweeps about three times a week.

Since the issuance of the report, the United Nations in Haiti has established an operational plan to address problems of sexual and gender-based violence. Training in this area has begun in recent weeks for personnel in the Haitian National Police, UNPOL and the military component, who are often the first responders. Measures have also been taken to allow personnel to refer victims to available medical services. We have also begun a public information campaign on prevention and what to do in case of rape. At the same time, the Internally Displaced Persons Camp Unit, staffed by 200 UNPOL officers, continues to provide a permanent presence in six high-risk camps housing 135,000 people, and to conduct daily patrols of 70 other camps identified as priorities. An initial sub-commission of the National Police is now operating in the Jean-Marie Vincent camp — one of the camps posing the greatest number of public security

problems. Moreover, the military component is mobilizing between 350 and 500 soldiers a day in order to protect displaced persons.

Some modest progress has been made in the area of justice in the last few weeks. The Court of Appeals in Port-au-Prince is in session again after an interruption of more than seven months. In addition, 26 lawyers have been enrolled in magistrate training in France. I am concerned, however, about the continuing absence of the Conseil supérieur du pouvoir judiciaire, which, given its monitoring role, is a fundamental element of judicial reform. I have requested the Government of Haiti to formalize its establishment and to name the President of the Cour de Cassation, which oversees both the Conseil supérieur and the National Magistrates' School. It is important to emphasize that, in the absence of meaningful progress in the area of the rule of law in Haiti, MINUSTAH's efforts to implement its mandate will be in vain.

The MINUSTAH programme for reducing community violence has begun to focus on the issue of violence in displaced persons camps, especially those adjacent to neighbourhoods that are priority areas for violence reduction and those that have a particular problem with gang activity. The Community Violence Reduction Section is also partnering with the military component to study a model for the relocation of some of these zones.

In regard to support for State institutions, from 15 to 20 August the Civil Affairs Section facilitated an inter-parliamentary visit of high-level parliamentary administrators to the Dominican Republic to observe a training course on the modernization programme of the Dominican Congress. MINUSTAH has also evaluated the needs of the delegations and vice-delegations in the departments. I am expecting a report on that evaluation in the next few days. Additionally, several United Nations agencies have made technical staff available to the Interim Haiti Recovery Commission.

In spite of the devastation created by the earthquake of 12 January, Haiti has not experienced a second wave of epidemics or social unrest. This relative success is nonetheless precarious. The Haitian Government faces short- and long-term challenges, such as organizing elections, maintaining order in the camps, reconstruction and the issue of dealing with rubble and debris, and relocating displaced persons, which is largely dependent on the availability of temporary and permanent shelters. If it is to meet these challenges, Haiti must be able to count on the decisive leadership of its Government and the ongoing support of the international community. Elections with results that all Haitians can accept represent an important step in that direction.

The President: I thank Mr. Mulet for his briefing.

I now give the floor to the representative of Haiti.

Mr. Mérorès (Haiti) (*spoke in French*): I would like to begin by thanking you, Mr. President, and the members of the Council for organizing this debate, which demonstrates once again the Council's interest in Haiti. Allow me to also thank Mr. Mulet for his very comprehensive briefing, which gave an overview of the situation as seen from his privileged position in Haiti.

Mr. Mulet's briefing was so comprehensive that it is difficult for me to add anything. Indeed, the challenges facing the Government have been clearly described by Mr. Mulet. I will mention two: the issue of the legislative and presidential elections scheduled, as noted, for 28 November this year, and the reconstruction work in the country following the earthquake of 12 January.

Regarding the first challenge, the elections, on behalf of the Government I can assure the Council that everything will be done to organize credible and transparent elections whose results are accepted by the population.

It is obvious that the second challenge — the recovery work — will necessarily require the next Government to enjoy the necessary legitimacy to lead the reconstruction process to a successful conclusion.

Regarding the reconstruction work, as has also been stressed, the Interim Haiti Recovery Commission is now functional. At its most recent meeting, several projects were approved, as Mr. Mulet noted, although we lack the funds to launch them. It is therefore clear once again that the international community's contribution, in particular the fulfilment of the pledges and the effective availability of the funds promised to my Government at the 31 March conference, is extremely urgent in order to ensure that the population's expectations are not disappointed.

The Secretary-General's report (S/2010/446), as noted by Mr. Mulet, highlights the fragility of the

security situation. As there are 1.3 million people displaced or otherwise affected by the 12 January earthquake, the reconstruction work has become increasingly urgent and necessary, and its impact on the security situation cannot be underestimated. That is why it is so important for the Government and the international community to ensure that the amounts pledged are made available to the Commission in order to avoid any delay in the reconstruction work and to ensure that there is no outbreak of violence due to a failure to meet the population's legitimate expectations of better conditions.

As Mr. Mulet has said, much work remains to be done. This will, of course, be a long-term effort. I would like to assure you, Sir, and the members of the Council that the Government is committed to ensuring that this work takes place in good conditions. We know that, there will be a new administration at the beginning of next year, but the current administration will nonetheless want to lay the foundations for the new administration to be able to continue the work already begun.

Regarding financing, as noted, only 18 per cent of the pledges have been delivered thus far, and I know that the co-chairs of the Interim Commission — former President Bill Clinton and Prime Minister Bellerive — have called on our international partners to increase that percentage so that the projects that have been approved can be implemented. In this regard, all I can do is thank the countries that have already delivered and, on behalf of my Government, call on those who have not yet or have only partially done so to do so, and assure them that the Government has done everything possible to ensure a transparent and peaceful management of these funds.

To conclude, please allow me once again, on behalf of my Government, to express our appreciation for the assistance we have received thus far for the electoral process and for the reconstruction of the country. I thank the international community as a whole. I do not want to name names, but I cannot help but mention the contributions provided by our neighbouring regional and subregional communities.

That is what I have to add to the very comprehensive briefing of Mr. Mulet, whom I would again like to thank, along with the members of the Council and you, Sir.

The President: I now give the floor to the members of the Council.

Ms. Rice (United States of America): We are grateful to the Secretary-General for his latest detailed report on the situation in Haiti (S/2010/446). I would also like to thank Special Representative Mulet for his skilled and dedicated leadership and for his thorough briefing today. I also thank Ambassador Mérorès for his summary of the situation from the perspective of the Haitian Government.

The United States expresses our strongest support and deepest thanks to all the staff and personnel of the United Nations Stabilization Mission in Haiti (MINUSTAH) for their extraordinary work under very difficult conditions. We share the view that the political situation in Haiti remains fragile, but the progress being made towards holding elections in November is positive. We recognize the hard work of MINUSTAH to push this prospect towards reality and to provide broad support to the upcoming elections. Peaceful and credible elections and the transfer of power to a new Government will be key milestones in Haiti's progress.

We also welcome the efforts by MINUSTAH to assist the Haitian National Police and others in providing a secure and stable environment, and we commend their work to maintain general stability throughout this very challenging period. The United States is deeply concerned about vulnerable populations in the internally displaced person (IDP) camps and neighbouring communities, and especially about the extent of sexual and gender-based violence. Although we understand the difficulties regarding the lack of reliable and comprehensive data, any level of sexual or gender-based violence is unacceptable, and we appreciate the ongoing efforts of MINUSTAH to address this situation. We applaud the plan to utilize the military component in a more community-based approach, which, we agree, should have an impact on sexual and gender-based violence in and around the IDP camps.

Addressing the critical issue of sexual and gender-based violence must be part of a wider effort to empower women throughout the reconstruction process, and we encourage MINUSTAH to expand its efforts beyond the IDP camps and their vicinity to other areas both in and outside Port-au-Prince. The United States agrees that the increased flow of weapons and drugs into Haiti is a destabilizing factor,

and we encourage MINUSTAH to look at ways to leverage its existing capabilities, wherever possible, to help interdict this flow.

We understand that the deployment of military forces, based on the increases authorized in resolution 1908 (2010), seems to be proceeding well. We look forward to seeing their contributions to stability and security.

The Secretary-General's report mentions the discussion of force drawdown. We recognize that this increase is indeed temporary in nature. That said, we believe that any discussion of drawdown must be based on the security conditions on the ground in Haiti, on the achievement of security benchmarks and, after the hurricane season, on the completion of the elections and the peaceful transition of power early next year.

The deployment of police forces has been sometimes challenging, but it is largely on track. We encourage nations to support resolutions 1908 (2010) and 1927 (2010) and to deploy police in support of this critical mission. The United States has 45 police personnel in Haiti, and we are working to double the size of our individual police contingent in the coming months. We welcome contributions from other Member States.

Mrs. Viotti (Brazil): I thank Mr. Edmond Mulet, Special Representative of the Secretary-General, for his briefing and, more important, for his dedication and able stewardship of the United Nations Stabilization Mission in Haiti (MINUSTAH) under very challenging circumstances. I also thank Ambassador Léo Mérorès for his remarks today.

The Secretary-General's report before us (S/2010/446) justifies renewed hope about the future of Haiti. Despite immense human and material losses, stability was maintained, the country is making important strides in its recovery and key political processes were resumed. The Haitian people are to be commended for such accomplishments. Consolidating these achievements and facing the challenges ahead require strong leadership from the Government and sustained international support in three priority areas: security, recovery and reconstruction and elections.

The fact that the security situation has remained stable is encouraging. We were also glad to learn that the deployment of the additional troops authorized by the Council is near completion. The surge in police personnel allowed for the expansion of United Nations police tasks, which is critical at this stage. In our view, the level of authorized contingents must be maintained.

It is reassuring that several measures have been taken, and others are being planned, to ensure the security of Haitians living in camps for internally displaced persons (IDPs), in particular women and children. That is of the utmost importance. We encourage MINUSTAH to continue to focus on the safety of IDPs, with special attention to protection from sexual and gender-based violence. That task will be made easier through enhanced community violence reduction programmes and quick-impact projects.

Two other important areas merit the Mission's attention: the increase in the circulation of weapons and the transshipment of certain drugs. The latter is especially worrisome in the light of its potential for undermining institutions upon which Haiti's future depends. In the long term, those problems can only be solved through capacity-building and the strengthening of Haitian institutions. We were therefore pleased that 900 new recruits began training at the Haitian National Police Academy earlier this month. Efforts must be redoubled to make up for the quantity and expertise of personnel lost in the earthquake. We urge the international community to further support the Haitian National Police. I am glad to report that the Brazilian Federal Police has been providing specialized training to Haitian agents in several areas.

Eight months after the tragedy, it is reassuring that the most urgent and basic humanitarian needs of the Haitian population are being met. We are deeply grateful to all those who worked selflessly and generously for that to happen. Nevertheless, recovery is far from finished, and reconstruction remains an immense challenge. The most pressing need is ensuring the best protection possible against hurricanes and flooding. We note that several steps have been taken in that regard, and we urge the Government and MINUSTAH to stay focused on this matter.

For recovery to move forward and reconstruction to gain speed, three measures seem to be of particular importance: the removal of debris, the identification and preparation of land for resettlement and the immediate implementation of reconstruction projects. Those aspects are interrelated and equally important, but today I wish to briefly comment on the last one.

The setting up of the constitution of the Interim Haiti Recovery Commission and the Haiti Reconstruction Fund were very important steps, and we commend all those who made them possible. The approval of the first batch of projects by the Commission, surpassing $1 billion, testifies to the Commission's relevance. What is urgent now is to fund them, and do so in a way that breaks a pattern of international assistance that has not so far contributed to strengthening the Haitian State. In that regard, it is worrisome that, as reported, less than 10 per cent of the assistance pledged so far is expected to be channelled through the Haiti Reconstruction Fund. Brazil has given $55 million to the Fund, including $15 million in direct budgetary support. It is important that pledged resources be disbursed quickly and that they be channelled in a way that supports Haitian priorities and institution-building.

While the operational capacity of the Government is being restored, MINUSTAH's provision of logistical support and technical expertise to the Haitian authorities as per resolution 1927 (2010) is of particular importance. We were pleased to learn of the steps taken in that regard and of measures now being planned. In Brazil's view, it is absolutely essential that all efforts be made to provide such assistance as efficiently and expeditiously as possible.

The November elections will be very significant. They will further consolidate the notion of the regular constitutional transfer of power and allow for the full restoration of legislative mechanisms and the completion of urgent constitutional reforms, thereby helping to create a more favourable environment for economic growth and investment. For those gains to be fully realized, the vote must be free, credible and transparent and held in a calm and secure environment. We hope and expect that all political parties in Haiti will act in that spirit.

MINUSTAH, the Organization of American States and bilateral partners are already working closely with the Haitian authorities to support their preparations for the poll. Brazil has donated $500,000. More financial contributions and constant political support are needed. We urge all donors to be as generous and flexible as possible.

Eight months after the earthquake, much has been achieved and much more remains to be done. The international community has a unique chance to assist the people and the Government of Haiti in building an effective State and further strengthening their nation. We should seize this opportunity with determination and from the long-term perspective of our common interests.

Mr. Briens (France) (*spoke in French*): I would first of all like to pay tribute to Special Representative Edmond Mulet, to whose briefing I listened with great interest. I commend his commitment at the head of the United Nations Stabilization Mission in Haiti (MINUSTAH). MINUSTAH, whose personnel work tirelessly under conditions that continue to be very difficult, plays a crucial role in Haiti. Mr. Mulet enjoys the respect and trust of Haitians, and he should have the full support of the Security Council.

I also listened with interest to the statement made by Ambassador Mérorès, Permanent Representative of Haiti. I assure him of France's commitment to continue its support for Haiti.

An electoral process has begun in Haiti since our last meeting on this subject. As the Secretary-General points out in his report (S/2010/446), it is essential that the presidential and legislative elections be carried out in the best conditions possible, so as to provide strong governance for the country and enable Haitian leaders to carry out the reconstruction effort. MINUSTAH is already contributing to the ongoing effort by providing technical, security and logistical support. We call on the Haitian authorities to support the smooth conduct of this process.

In that regard, MINUSTAH continues to play a crucial role in various areas, including good offices, maintaining public order, promoting human rights and strengthening the rule of law, which, more than ever before, should be at the centre of the Mission's mandate. This United Nations Mission demonstrates the complexity of the mandates entrusted to peacekeeping operations. However, in order to continue to effectively perform its tasks, MINUSTAH will need sufficient resources. In particular, we should ensure that there are always enough police personnel. That is vital to ensure the safety and security of vulnerable groups; I am thinking in particular of women, whose security must be a priority.

In Haiti, perhaps more than elsewhere given the circumstances, the success of the United Nations depends on good coordination of the various actors on the ground. It is vital that the agencies, funds and

programmes work in a coordinated way in their various areas, whether they concern democratization, development or security.

The New York conference in March opened up prospects. The international community strongly mobilized and commitments were made. We welcome the establishment and the work of the Interim Haiti Recovery Commission, thanks to which clear priorities can be defined. As the Secretary-General underscores in his report, it is extremely important that all commitments be met. The donors, for their part, should be kept informed of the needs and priorities that have been identified. We must also continue to give our full attention to assisting the hundreds of thousands of displaced persons, who will have to live in camps for an as yet undetermined time. The more time passes, the more urgent it becomes to meet their needs, especially for security reasons.

France is providing Haiti considerable assistance, with $326 million for the period 2010-2011 and further technical cooperation efforts in various areas, in particular education, governance and the police. We are also committed to strengthening the rule of law, including by helping to train judges. Moreover, we are making a large contribution to the aid given by the European Union, whose representative will shortly give the details; France associates itself, in advance, with the statement that he will make.

France is also deeply committed within MINUSTAH, including through the deployment of nearly 140 gendarme and police officers, which makes our country one of the largest contributors of police to the Mission. We have also provided direct support to the Haitian National Police and the firefighters, in particular by sending 110 vehicles. Lastly, we have deployed, in coordination with MINUSTAH, military engineering capacity to help with clearing Port-au-Prince and other urgent activities in that area.

France will continue its commitment to the Haitian people and Government, in close coordination with the United Nations. It will do so as part of a comprehensive effort involving the State, and also local communities including the French Caribbean departments, non-governmental organizations and the Haitian diaspora living in France.

Mr. Issoze-Ngondet (Gabon) (*spoke in French*): I would first like to congratulate you, Mr. President, on the initiative to convene this debate on the development of the political, security and humanitarian situation in Haiti. I would also like to thank the Secretary-General for his detailed report on those issues (S/2010/446), and, lastly, to express my appreciation to the Permanent Representative of Haiti for the particularly enlightening information and analysis that he has shared with us.

Members will recall that at a number of international conferences held on Haiti, including the donor conference of 31 March 2010 and the conference held in the Dominican Republic on 2 June 2010, the Haitian Government committed, before the international community, to organizing general elections on 28 November 2010. In that regard, my delegation welcomes the steps taken to date by the Haitian Government to create conditions conducive to organizing that vote.

Thus, Gabon urges the Government and the parties engaged in meeting this timeline to become fully involved in completing the constitutional reform process under way. Given the impact that the holding of these elections will have on the recovery and reconstruction process of Haiti, Gabon supports the current coordination among the United Nations Stabilization Mission in Haiti (MINUSTAH), the Government and civil society in preparing those elections.

Likewise, my country appreciates the efforts made in that area by the international community. In particular, we welcome the significant $390 million contribution of the European Union and the announcement of $200 million in financial assistance made by the Union of South American Nations.

In terms of security, we are pleased that the situation remains generally calm. However, my delegation continues to be concerned about the sexual and gender-based violence against women and children and the resurgence of crime by organized gangs, linked in part to the escape of prisoners. That is why we support keeping MINUSTAH military and police troops at their current level so as to ensure support for the Haitian security and defence forces.

Regarding the humanitarian situation, in particular that of displaced persons, we support the Secretary-General's appeal for the establishment of a comprehensive strategy to resettle the earthquake victims.

With regard to the recovery and reconstruction of Haiti, my delegation encourages donors to meet their commitments. The development of a stable and prosperous Haiti will depend to a large extent on keeping the promises made by donors.

Without doubt, the reconstruction of this country is a challenge for the international community. From that standpoint, Gabon supports efforts seeking aimed at the Government's effective implementation of the Action Plan for National Recovery and Development of Haiti.

Lastly, my delegation renews its support for the action of the United Nations Special Envoy for Haiti, President Bill Clinton, and that of MINUSTAH and its head, Special Representative Edmond Mulet.

Mr. Puente (Mexico) (*spoke in Spanish*): Like previous speakers, I would like to begin by thanking Mr. Edmund Mulet for his very comprehensive briefing and the commendable work that he has undertaken as head of the United Nations Stabilization Mission in Haiti (MINUSTAH). I also hail the presence of Ambassador Mérorès at this Security Council meeting, which we believe not only important, but welcome. I would also like to point out that my delegation fully adheres to the statement that will be made later by the Permanent Representative of Uruguay on behalf of the Group of Friends of Haiti; I will thus be able to limit my comments in my national capacity.

Nine months after the tragic earthquake in Haiti, the United Nations capacity to mobilize international efforts and assistance to respond to the humanitarian emergency and to assist with the recovery of Haiti has been more than demonstrated, despite that country having suffered, as we all know, great human and material losses.

It is right to praise the Security Council's resolute response to immediately strengthen MINUSTAH's capacity with additional personnel, to expand its activities within the current mandate and to give greater technical, operational and logistical assistance to the Haitian Government.

Even when, as we have just heard, the Government of Haiti has redoubled its efforts to take on a leadership role in coordinating the humanitarian and recovery activities, as well as with regard to measures to tackle unforeseen and natural disasters, it is still necessary to strengthen the State's capacity so that it can shoulder all its responsibilities. Fortunately, we have MINUSTAH's support in creating the political, security, protection and recovery opportunities that will enable Haiti to move towards an environment conducive to its reconstruction and development.

Without doubt, MINUSTAH has been vital in maintaining stability, promoting reconstruction, ensuring the survival of the national institutions and supporting the country's population under tragic conditions. However, Haiti will face many challenges in the coming months, as we have heard the Special Representative and Ambassador Mérorès mention. Thus, we believe that the United Nations and the international community will have to step up their support and assistance to that country's people and Government so that those challenges can become opportunities in order to help overcome Haiti's structural problems in the sphere of economic and social development and its institutional fragility.

My delegation welcomes the political agreements reached and the Government's resolve to organize and hold elections on 28 November. These will be decisive to guaranteeing political stability, the rule of law and the democratic process in that country. These essential elements will contribute to the recovery and the socio-economic development of the country. We agree with the Secretary-General that it is essential to guarantee a credible and legitimate electoral process, upon which political stability largely depends. There is no doubt that MINUSTAH has an essential role to play in this process in coordinating international electoral assistance; providing technical, logistical and security support for the Provisional Electoral Council, in cooperation with the United Nations Development Programme, the Organization of American States and other relevant international actors; and contributing to generating the necessary trust in the process.

My delegation also supports the Secretary-General's recommendation that the current level of MINUSTAH staff be maintained in order to guarantee security and stability after the elections in 2011 and until a new evaluation of the security situation can be made. That will provide us with specific parametres that take into account the post-election political environment, the capacities of the National Haitian Police, especially in protecting displaced persons, and support needs related to assistance activities.

The Mexican delegation has widely acknowledged the need to restore the confidence of the Haitian people in their institutions and to establish specific measures to foster dialogue and national reconciliation in order to create conditions in which Haitian society can achieve its common future.

Mexico encourages MINUSTAH to maintain its support for the Government in capacity-building and its advisory capacity to the Haitian National Police and the Ministry of Justice and Public Security, as well as to the main judicial and corrections institutions, in order to move ahead in police reform; support essential judicial services; manage controversies related to land law, property disputes, disappeared persons, custody and inheritance; and support Government efforts to deter and combat organized crime and illegal drug trafficking.

In conclusion, my delegation agrees with the Secretary-General that Haiti's reconstruction is a long-term project that will require the sustained support and commitment of the international community and the leadership of the Haitian Government. MINUSTAH's success and its drawdown will also depend on the progress and feasibility of reconstruction, as well as the establishment of institutional structures to support the country's capacities.

Mr. Onemola (Nigeria): I would like to thank Mr. Edmond Mulet for his comprehensive briefing and remarkable work in a difficult and challenging environment. I also thank the Permanent Representative of Haiti for the additional comments he provided to the Council.

I will focus my remarks on elections, humanitarian challenges and security issues. With respect to elections, the positive atmosphere in Haiti since the adoption of resolution 1927 (2010) and the successful hosting of several donor conferences has helped to create conditions favourable to the holding of presidential, legislative and municipal elections in the country before the end of 2010. There is, however, a disturbing disquiet within the polity about the modalities for the conduct of the election that must not be allowed to derail either the electoral process or the peace and stability achieved so far.

All stakeholders are encouraged to work towards free and fair elections and a negotiated settlement of their differences. The United Nations Stabilization Mission in Haiti (MINUSTAH) has a critical role to play in supporting the electoral process, particularly in providing logistical and technical assistance for the conduct of the election. The mediatory role played by the Special Representative in re-establishing confidence among Haiti's major political actors and the electoral process is commended.

On security, we are pleased to note that the security situation in Haiti improved during the reporting period. The MINUSTAH troop increase authorized by resolution 1908 (2010) and enhanced operational activities contributed substantially to this development. However, the continued existence of a large number of camps of internally displaced persons and rampant cases of sexual and gender-based violence in these camps constitute security threats that should be addressed urgently. Women and girls should be protected and sexual offenders held accountable.

Illicit drug trafficking through Haiti's borders is having a negative effect on general development in the country and should be effectively tackled. Sustained international support is necessary to build the capacity of local law enforcement agencies to enable them to perform their constitutional duties, especially with regard to effective internal checks, border management and tackling the illegal weapons flow.

On humanitarian issues, as observed by the Inter-Agency Standing Committee in its July report on the response to the humanitarian crisis in Haiti, although Haiti's relief operations have achieved many of the objectives, humanitarian needs, particularly for shelter, remain immense. A more comprehensive strategy is therefore needed to address the plight of internally displaced persons, provide humanitarian protection and shelter, and meet their basic needs, including health care, energy and education. Priority should be given to women and children.

We welcome MINUSTAH's collaborative efforts with the United Nations country team and international partners in working to strengthen the Government of Haiti's capacity to govern. We commend the cash- and food-for-work projects, which have empowered over 150,000 people since the beginning of the year.

We also commend the important role played by the Interim Haiti Recovery Commission, under the co-chairmanship of Prime Minister Bellerive and former United States President Bill Clinton, in channelling needed resources to the country. The timely disbursement of funds donated at the March

2010 international conference will not only enable the Government to implement its Action Plan towards Haiti's full recovery, but will also facilitate full ownership of the reconstruction process by the Government. In this connection, Nigeria will, in the coming days, be presenting a check for $5 million in fulfilment of its pledge made during the March donor conference.

Considering the crucial role MINUSTAH continues to play in Haiti, we support the renewal of its mandate for one more year.

Mr. Wang Min (China) (*spoke in Chinese*): I thank you, Sir, for convening today's meeting. I also thank the Special Representative of the Secretary-General, Mr. Edmond Mulet, for his briefing.

The massive earthquake that hit Haiti in January this year dealt a heavy blow to the common efforts being made by Haiti, the United Nations and the broader international community. It is heartening to see, however, that eight months after the earthquake, the security situation in Haiti has remained generally calm, recovery and reconstruction efforts continue to be carried out smoothly, and the national Government is gradually coming back to life. In addition, presidential and parliamentary elections will be held in November.

We note with concern that the country is still facing multiple challenges and difficulties in the areas of security, national reconstruction and economic and social development. What is worth noting is the slow progress in restoring national capabilities, especially in the police, judicial and correctional systems. Indeed, in some areas, crime is on the rise.

The period between now, through the November elections to the transfer of power next year will be a rather sensitive time for Haiti. We hope that the Government of Haiti, with the support of the United Nations Stabilization Mission in Haiti (MINUSTAH) and regional organizations, will accelerate its strengthening of police and judicial capacities and remove hidden dangers in order to ensure that free, credible and fair elections can be held in a secure and stable environment.

Protracted abject poverty and the lack of economic and social progress are the root causes of Haiti's difficulty in achieving long-term security. The key to achieving long-term security in Haiti lies in making substantial progress in reconstruction and attaining the Millennium Development Goals.

In China, we say that one man's distress is a rallying cry for others to come to help. China, together with the international community, has provided assistance to the Government and the people of Haiti in the aftermath of the earthquake. Reconstruction is a long-term, complex and arduous process. Therefore, the reconstruction plan needs the continued support and assistance of the international community. Accordingly, we expect the parties to fully respect the need for the Government and people of Haiti to take ownership of and bear the primary responsibility for the process and to take fully into account the country's current conditions and requirements.

The United Nations should, on the basis of the distribution of responsibilities, bring into full play the roles of the Security Council, the Economic and Social Council and the United Nations Development Programme; strengthen its cooperation with relevant regional organizations; and, at the appropriate time, consider the involvement of the United Nations Peacebuilding Commission.

Over the past six years, MINUSTAH has played an important role in the maintenance of stability in Haiti. We appreciate the efforts made by Mr. Mulet, MINUSTAH and the rest of the United Nations personnel in very difficult conditions. While the situation in that country remains fragile, we support the continued presence of MINUSTAH. In turn, MINUSTAH should focus on fulfilling its mandate, which is the maintenance of security in Haiti, so as to ensure that its limited resources will achieve maximum results.

We agree with the ideas outlined in the report of the Secretary-General (S/2010/446) and hope that, in connection with the security situation following the transfer of power next year, the Secretariat and MINUSTAH will carry out an assessment of the strength, composition, resources and requirements of the Mission.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We thank the Special Representative of the Secretary-General, Mr. Edmond Mulet, for his thorough briefing on recent developments in Haiti and for presenting the report of the Secretary-General on the United Nations Stabilization Mission in Haiti (MINUSTAH) (S/2010/446). We welcome the

statement of the Permanent Representative of Haiti, Mr. Mérorès.

We share the major conclusions and assessments of the report. The political and socio-economic situation in Haiti after the earthquake remains unstable. The security situation, although calm on the outside, remains fragile. Serious challenges also remain, such as the presence of a large number of internally displaced persons, difficult living conditions, an increase in the activities of criminal gangs, and the weakness of law enforcement agencies. The preconditions exist for the emergence of social unrest, particularly in the context of the upcoming electoral campaign.

However, thanks to the efforts of the leadership of the country and of the international community, the Haitians have managed to avoid the post-earthquake emergence of large-scale unrest and epidemics. Some progress has been achieved in preparing the parliamentary and presidential elections scheduled for 28 November. It is our view that MINUSTAH will play an important role in ensuring security at the upcoming elections and providing technical assistance in their conduct. Moreover, the Mission should coordinate external assistance in organizing the vote, together with international and regional partners.

We are pleased to note that the urgent humanitarian needs of the internally displaced citizens of Haiti have generally been met. However, it is still a subject of particular concern that about 1.3 million Haitians remain in camps for internally displaced persons.

The major responsibility for the recovery of Haiti lies with the people of Haiti. In this regard, we welcome the fact that the Haitian Government has begun more actively to assume the lead functions in coordinating humanitarian and recovery work. The proof of this development was the establishment of the Interim Haiti Recovery Commission and the ad hoc Presidential Commission on Resettlement.

We appreciate the efforts of MINUSTAH and its head, Mr. Mulet, in discharging the Mission's tasks. A significant increase in the size of the military and police components of the Mission has allowed it more reliably to provide security in camps for temporarily displaced persons and to protect the most vulnerable segments of the population.

A serious destabilizing factor in Haiti is the drug trade. Unfortunately, after the earthquake, the drug transit routes were quickly restored. In this regard, we support the measures of the Mission to help the Haitians strengthen the guarding and patrolling of their borders.

We welcome the comprehensive support given to Haiti by the countries of the region. We note the efforts of the United Nations Special Envoy for Haiti, President Bill Clinton, to mobilize donor support for the country. We expect the Mission and the United Nations country team to soon prepare a comprehensive strategic framework programme as a basis for designing subsequent activities for the United Nations system to provide assistance to Haiti. We agree with the view expressed in the report that, following the elections in Haiti and the arrival of a new president and Government, a comprehensive assessment of the security situation will be necessary for the purposes of developing a plan to draw down the additional military and police personnel deployed to the Mission.

Bearing in mind the scope of the tragedy that has hit Haiti, we support the Secretary-General's call on the international community to continue to give comprehensive support to that State until full restoration of Haiti's national potential.

Mr. Nishida (Japan): At the outset, I would like to extend my appreciation to Special Representative of the Secretary-General Mulet, head of the United Nations Stabilization Mission in Haiti (MINUSTAH), for his informative and comprehensive briefing. I also would like to express my respect for the men and women of MINUSTAH and the commitment and fortitude they have demonstrated in the difficult situation following the earthquake. I would also like to state Japan's appreciation for the statement made by the Representative of Haiti.

In addition, I welcome the appointment of the Governor-General of Canada, Ms. Michaëlle Jean, as Special Envoy for Haiti for UNESCO, and the fact that she will start her work in that role soon.

I welcome the report of the Secretary-General on MINUSTAH issued this month (S/2010/446). As the report mentions, the most immediate challenge in Haiti is the organization of the presidential and legislative elections scheduled to take place on 28 November. Political stability is an essential component of the overall stabilization in Haiti, and these elections are a prerequisite for the achievement of political stability.

In this regard, the elections must be implemented in a fair, transparent and secure manner and ensure the broad participation of the Haitian people.

From that point of view, we encourage MINUSTAH, in collaboration with the international community, to provide the necessary technical, logistic and security assistance to the Government of Haiti for the smooth implementation of the elections. Japan would also like to cooperate with the Government of Haiti, MINUSTAH and the other international organizations towards the success of the elections.

Japan commends MINUSTAH and the troop- and police-contributing countries on their success in maintaining relative calm in the security situation in Haiti. At the same time, we wish to express our concern regarding the occurrence of sexual violence and violent forced evictions in camps for internally displaced persons, the presence of escaped inmates from collapsed prisons, and the increased incidence of drug transshipment and kidnappings.

In that connection, we welcome the fact that cooperation between Dominican and Haitian police has been improved under the auspices of MINUSTAH. Haiti cannot be reconstructed in the absence of a stable security situation. We therefore urge MINUSTAH to exert every effort to maintain a secure environment and to provide sufficient capacity-building support for the Haitian National Police. Japan also takes note of the ongoing activities for the provision by MINUSTAH of logistical support and technical expertise to rule of law institutions of the Haitian Government, in accordance with resolution 1927 (2010).

We acknowledge as well the opinion of the Secretary-General that current troop and police levels should be maintained until the assessment of the security environment takes place after the installation of the new Government. The mandate of MINUSTAH will be considered for renewal in mid-October. Japan will support the extension of the mandate and will participate in the Security Council discussion on the matter in a constructive manner.

The Government of Japan has dispatched approximately 330 personnel, comprising a Japan Ground Self-Defence Force (SDF) engineer squadron, and this SDF contingent has made a contribution to the reconstruction of Haiti by carrying out tasks such as removal of debris, dismantling of damaged buildings, repair of facilities in IDP camps and repair of roads on the border with the Dominican Republic. In addition, the Government of Japan has continued to fulfil its commitment to the people of Haiti through the provision of temporary housing, implementation of counter-infection measures, food distribution and the dispatch of disaster protection experts. The Government of Japan also recently decided to support border control capacity in Haiti by providing necessary equipment to police stations. I strongly believe that these activities will contribute to accelerating Haiti's reconstruction process.

More than eight months have passed since the catastrophe occurred, and we recognize that reconstruction efforts should be further accelerated, ensuring continuous provision of necessary humanitarian support to the Haitian people. There are high expectations of MINUSTAH in this regard, and we call on MINUSTAH to continue to utilize its maximum capacity, within its mandate, for Haiti's reconstruction.

We welcome the fact that the Interim Haiti Recovery Commission was established in April and that it has begun its work to play a role in coordinating the long-term reconstruction efforts. To realize Haiti's reconstruction, continuous international involvement is essential. From that point of view, the Government of Japan, in close cooperation with the Government of Haiti, the Interim Haiti Recovery Commission, MINUSTAH and the international community, will continue to provide support for the reconstruction of Haiti, drawing on its experience and knowledge as an earthquake-prone country and placing particular importance on the fields of education, medical care, employment and rule of law.

Mr. Barbalić (Bosnia and Herzegovina): I would like to thank Mr. Edmond Mulet, Special Representative of the Secretary-General, for his comprehensive briefing, and the Permanent Representative of Haiti for his additional comments before the Council.

Bosnia and Herzegovina takes positive note of the efforts of the Government of Haiti, which, with the steady assistance of the international community, is largely overcoming the immediate humanitarian and security challenges that Haiti has faced in the period after the earthquake. We commend the international community on its efforts and commitment to address the remaining challenges and help the people of Haiti to build a prosperous future.

However, much more has to be done in order to address the fundamental consequences of the earthquake. Haiti still faces a grim reality, with hundreds of thousands of internally displaced (IDPs) and a fragile political, social and economic situation. In the coming period, which will be marked by extensive reconstruction efforts and presidential and legislative elections, it will be critical to ensure stability and security within the country.

With regard to the forthcoming elections, both presidential and legislative, which, according to the calendar established by the Government, will be held on 28 November 2010, we urge the Government to do use all means at its disposal to ensure that the elections are free and fair. Only credible and legitimate elections will guarantee political stability in this critical period for the country. The United Nations Stabilization Mission in Haiti (MINUSTAH) has an important role to play in providing assistance to the Government of Haiti in organizing elections in accordance with Security Council resolution 1927 (2010). It is essential that MINUSTAH, in collaboration with the United Nations Development Programme, continue to provide technical support to the Provisional Electoral Council.

Bearing in mind that the elections also constitute a potential security challenge, the cooperation between MINUSTAH and the Haitian National Police in the preparation of an integrated electoral logistics and security plan is commendable. The coordination role of MINUSTAH in the context of international assistance for the preparation of elections with other international stakeholders will be essential.

Taking into account pre-existing conditions in Haiti and the magnitude of the earthquake, it is fundamental to ensure that the rebuilding of State institutions takes place. Rebuilding and strengthening the security sector and the judicial and penal system is a basic precondition for stable and secure environment. Bosnia and Herzegovina is of the view that without a secure environment there can be no substantial recovery and development. MINUSTAH's assistance to the Haitian National Police has played an important role in providing security and is of utmost importance. The cooperation between MINUSTAH and the Haitian National Police in providing the widest possible coverage for camps for internally displaced persons and in addressing violence against women and children is commendable. With regard to the judicial and penal system we support MINUSTAH's efforts to provide assistance to the Government of Haiti with respect to those institutions, which are crucial for the rule of law.

We share the Secretary-General's view that a major challenge to the Government of Haiti is the sustainable resettlement of displaced persons. A decisive commitment by the Government and assistance of the international community in this regard will be crucial in order to find a solution for this very complex and delicate problem, which has an impact on many other issues and could generate serious problems if it remains unresolved.

Bosnia and Herzegovina welcomes the establishment of the Interim Haiti Reconstruction Commission (IHRC) which will coordinate medium- and long-term reconstruction in Haiti. It is crucial that donors continue their commitment to Haiti. In this context, we would like to express our sincere gratitude to the Special Envoy of the Secretary-General, former United States President Clinton, for his efforts in that regard.

In these challenging times, the United Nations and MINUSTAH have played a central role in Haiti. It is vital that the partnership between Haitian people and the United Nations be further foster in order to preserve positive developments and to meet the remaining challenges. Only joint and timely efforts by the United Nations and the Government of Haiti will bring tangible results and secure a better future for this proud nation.

Let me in conclusion, on behalf of Bosnia and Herzegovina, commend Special Representative Mulet and United Nations and MINUSTAH personnel for their tireless efforts and the important work they have carried out to date.

Mr. Salam (Lebanon) (*spoke in Arabic*): I thank Mr. Edmond Mulet, Special Representative of the Secretary-General, for his briefing on the report of the Secretary-General on the United Nations Stabilization Mission in Haiti (MINUSTAH) (S/2010/446). My thanks go also to the Permanent Representative of Haiti for his statement.

We are pleased that the Haitian Government has decided to hold elections on 28 November, and we note that the organization of these elections is possible from a technical standpoint. We welcome the measures undertaken by the Government, including appropriate organizational decrees, the registration of parties wishing to stand in the elections, and other relevant steps.

We also welcome the role of MINUSTAH in providing security assistance to Haiti, participating in recovery efforts following the earthquake pursuant to resolution 1908 (2010), and providing electoral assistance in accordance with resolution 1927 (2010). We thank the donor countries for covering the $29-million cost of the elections and the countries contributing troops to the Mission, and call for the strengthening of its police contingent, which now numbers some 3,000 officers, although resolution 1927 (2010) authorizes 4,300. A strengthened police force will enhance the Mission's ability to protect refugees and displaced persons and to assist the Haitian National Police.

We welcome the stabilization of the security situation following the earthquake, which could have unleashed social upheaval. However, security remains fragile owing to the increase in mafia-type activities following the escape of prisoners after the earthquake; in violence, including armed aggressions, sexual violence and others; and in drug trafficking, which does not seem to have been affected by the earthquake. We call for the strengthening of the rule of law and the reform and promotion of justice.

We are alarmed by the deteriorating humanitarian situation, especially in the refugee camps, where 1.3 million people are living in 1,300 camps. What makes their situation even more tragic is the lack of a plan for building permanent shelters in the near future. We call on donors to honour the pledges they made at the March donors conference as soon as possible. Haiti has to date received only $506 million — barely 19 per cent of the funds pledged.

We reaffirm the importance of the ownership of the Haitian Government and people, and hope that Haiti will be able to play a lead role in the recovery process.

Mr. Mayr-Harting (Austria) (*spoke in French*): I wish at the outset to thank the Special Representative of the Secretary-General for Haiti, Mr. Edmond Mulet, for his excellent briefing on the Secretary-General's semi-annual report (S/2010/466) and for all his untiring efforts at the head of the United Nations Stabilization Mission in Haiti (MINUSTAH). I should also like to thank all the United Nations staff in Haiti for their outstanding work in very difficult conditions. We owe them all the support they require.

I also wish to thank the Permanent Representative of Haiti for his presence here today. We welcome the efforts of his Government to ensure political, economic and social stability in his country.

Austria associates itself with the statement to be made shortly by the representative of the European Union. I wish to add the following points on behalf of my delegation.

Since our last debate on Haiti in the Council (see S/PV.6303), much progress has been made on the ground. We knew that the current period was going to be one of high risk, in which the objectives of security and protection would have to be pursued as vigorously as the organization of the elections and the reconstruction of the country. I dare say that these twin objectives have met with success so far.

Austria wishes to emphasize in particular the importance of the efforts of MINUSTAH in the areas of the rule of law and the protection of civilians, especially women and children. Austria welcomes the measures taken by MINUSTAH, in close cooperation with the Haitian National Police, to protect internally displaced persons in the camps. The increase in police staffing authorized by the Council in resolution 1927 (2010) has had the desired outcome. All of MINUSTAH's operating procedures have been reviewed in order to make them more effective in addressing sexual violence, which we welcome. Austria also recognizes MINUSTAH's important activities to assist the Government of Haiti in preparing for and holding the presidential and legislative elections, and in coordinating electoral assistance.

We recognize that, despite the significant progress that has been made to date, much remains to be done. We endorse the Secretary-General's assessment that the police and military contingents of MINUSTAH will need to be maintained at their current level until an evaluation of the security situation can be made following the inauguration of the new President and Government. The elections must be conducted credibly, fairly and legitimately in order to ensure the further stabilization and reconstruction of the country.

Austria reiterates the importance of the participation of Haitian women in the electoral process, and hopes that it will continue to be encouraged and promoted.

With respect to measures to protect the most vulnerable, efforts must be pursued tirelessly and even strengthened. We share the Secretary-General's opinion that a solid protective environment must be established in Haiti, and we hope that the needs of displaced children and the fight against their exploitation and trafficking will continue to be given special attention in protection activities. In that respect, we should like to know more about the protection of civilians strategy, which we understand is being updated by MINUSTAH. We would be grateful to the Special Representative of the Secretary-General for providing further information on the activities he foresees for that strategy.

It will be important, in addition to the measures already undertaken to combat sexual violence, to fine-tune a comprehensive strategy to prevent sexual violence and a package of support measures for the victims. We therefore support the Secretary-General's proposal that the Ministry of Justice and Public Security be assisted in establishing police substations assigned to assist the victims of sexual violence. It is equally urgent to improve current conditions in Haitian prisons in order to reduce the prison population and to limit excessive pre-trial detention.

For its part, Austria has mobilized almost $17 million in contributions and humanitarian assistance for immediate aid and reconstruction. A portion of that sum has been made available to the United Nations family, the International Committee of the Red Cross and humanitarian non-governmental organizations in Austria. Our citizens have also donated almost $45 million to the victims in Haiti. I wish to conclude by assuring the Government and people of Haiti that the international community will remain with them in their effort to build the new Haiti that is beginning to take shape.

Mr. Rugunda (Uganda): I thank you, Sir, for organizing this debate, and the Special Representative of the Secretary-General and head of the United Nations Stabilization Mission in Haiti (MINUSTAH), Mr. Edmond Mulet, for his comprehensive and helpful briefing. I also thank the Permanent Representative of Haiti for his statement.

We commend the Special Envoy, President Clinton, the Special Representative to the Secretary-General and the staff of MINUSTAH for their efforts in supporting the Government and the people of Haiti in the delivery of basic services, disaster recovery and harmonizing critically needed international support in the aftermath of the devastating earthquake.

We salute the Government and the people of Haiti for their remarkable resilience. We are encouraged to note that the immediate humanitarian needs of the displaced population in Port-au-Prince and in the regions have been largely addressed. We commend the international community for the generous support given and pledged to assist Haiti. However, we recognize that significant challenges still remain. For example, the country still faces the challenge of resettling an estimated 1.3 million displaced people and rebuilding infrastructure. It is therefore important that the pledges made be honoured in order to help the Government of Haiti bridge the gaps. In this regard, we welcome the establishment of the Interim Haiti Recovery Commission, which will play a central role in coordinating medium- and long-term reconstruction efforts. At this critical phase of recovery and reconstruction, we would like to emphasize the importance of effective coordination among the United Nations agencies and international actors. The role of the Government remains central, and it is important that all concerned work closely with it.

The presidential and legislative elections scheduled for 28 November will be a significant milestone for Haiti's stability. It is important to ensure that they are peaceful and credible. In this regard, we welcome the support extended by international partners and the collaboration between MINUSTAH and the United Nations Development Programme in providing technical support and assistance to the Provisional Electoral Commission.

One of the most pressing needs at this time remains the provision of shelter and housing, and the sustainable resettlement of displaced persons to permanent accommodation. This is a multifaceted challenge that will require adequate planning and a comprehensive strategy.

We note that, although the security situation in the country has remained generally calm, significant threats still prevail, including from former gang leaders who escaped from prison. We are also concerned with the underlying problem of drug transshipment through Haiti, which, if unchecked, will negatively affect stability in the country. The strengthening of security and of rule-of-law institutions must be supported in order to tackle these threats. We commend

MINUSTAH for its support of Government efforts to address drug trafficking through increased land and maritime patrols, air surveillance and border management.

Finally, we salute the men and women of MINUSTAH, who, despite the difficulties and the tragedy that befell them, have continued to play an indispensable role in maintaining a secure and stable environment.

Mr. Parham (United Kingdom): I would like to begin by expressing our gratitude to Mr. Mulet and the personnel of the United Nations Stabilization Mission in Haiti (MINUSTAH) for their ongoing efforts in Haiti. The Mission continues to make an outstanding contribution to alleviating the hardships Haiti has suffered since the earthquake of January this year. As we look to the Mission's immediate future, we welcome the preparatory measures currently being taken ahead of November's presidential and legislative elections, noting in particular the importance of the integrated logistics and security plan being devised by MINUSTAH and the Haitian National Police. Haitian involvement is, of course, central to this process; above all, we underline the need for all Haitian parties to continue to demonstrate their commitment to holding free, fair and transparent elections.

The view of the United Kingdom is that the primary focus of all United Nations peacekeeping operations, including MINUSTAH, should remain the provision and maintenance of a peaceful and secure environment. As a consequence, peacekeepers and peacekeeping missions should not make a lasting, long-term commitment to undertaking reconstruction work. The Security Council has adjusted the Mission's strength to include additional engineering contingents. This should be on the understanding that those personnel actively pursue local capacity-building initiatives in tandem with their recovery work. MINUSTAH's personnel must work alongside the Haitian people and help build their capacity to eventually take on this reconstruction work.

We note with concern the threat that the current hurricane season poses for the many Haitians still living in substandard accommodation. In this regard, MINUSTAH's disaster contingency planning is of vital importance. We hope that this contingency planning is developed, where possible, alongside the Haitian authorities, and that provision is made for future Haitian ownership, due to the unfortunate fact that severe weather risks will be a regular threat to Haiti.

We are pleased to hear of the recent recruitment of 900 Haitian National Police (HNP) trainees and look forward to continuing HNP recruitment. The HNP's current lack of capacity is having a worrying impact on the safety and security of vulnerable Haitians, including women and children. In this regard, we welcome the increased capacity of the United Nations police to focus on protecting internally displaced persons, and the efforts of the United Nations and the Government of Haiti in producing a comprehensive sexual and gender-based violence operations plan. The HNP must get to a position where MINUSTAH's troops are no longer relied on as the main providers of security in Haiti. MINUSTAH, for its part, must continue to do its utmost to aid the development of local policing capabilities.

The rehabilitation of the Haitian corrections system has also rightly been identified as a key element in the recovery process, and we are pleased to see that donors have channelled some of their efforts into making valuable contributions and progress in this important area.

This serves to underline the continuing importance of the role of the international donor community in helping to re-establish Haiti's institutions and to invigorate its economy. In this regard, we commend the ongoing work of Prime Minister Bellerive and former President Clinton as co-Chairs of the Interim Haiti Recovery Commission. The maintenance of peace and security, as carried out by MINUSTAH's very capable peacekeeping troops, is only one of the many strands that contribute to the conditions necessary for successful recovery in Haiti. Once MINUSTAH's surge period has reached its conclusion, in the next 12 months or so, we would envisage the longer-term reconstruction work shifting from a military peacekeeping operation to a mainly civilian effort. The United Kingdom will continue to give MINUSTAH its full backing during this crucial phase.

The President: I shall now make a statement in my capacity as the representative of Turkey.

I would first like to thank the Secretary-General for his report (S/2010/446), and his Special Representative, Edmond Mulet, and Ambassador Mérorès for their comprehensive briefings. Let me also

add our sincere gratitude for the strong leadership Mr. Mulet displays at the helm of the United Nations Stabilization Mission in Haiti (MINUSTAH). Indeed, Mr. Mulet and his staff are doing a most commendable job in support of the Haitian people and Government.

Nine months have passed since tragedy struck Haiti once again, but the enormous suffering it has caused in Haiti is still vividly remembered in our minds and hearts. Indeed, the magnitude of the earthquake and the loss of human life and infrastructural damage it caused are neither forgettable nor easily surmountable.

Hence, we are glad to learn that the immediate humanitarian needs of the displaced population have been addressed to a large extent, although there remains much more to be done. In particular, the number of displaced persons is quite high, and a sustainable resettlement plan has to be implemented to protect this vulnerable group, especially women and children.

That having been said, it is quite admirable that the security situation has remained relatively calm, although there seems to be a slight increase in criminal activities such as drug trafficking. Haitians continue to teach us important lessons of humility and humanity. However, due to the high number of displaced persons living in precarious conditions, we have to remain vigilant so that the security situation does not deteriorate in a way that would endanger the ongoing humanitarian assistance and stabilization efforts.

In this context, MINUSTAH certainly has an important role to play, and there is still room to increase the number of troops and police officers serving within the Mission to reach the levels authorized by resolutions 1908 (2010) and 1927 (2010).

MINUSTAH should also keep on building the capacity of the Haitian National Police, but no matter who has the primary responsibility, we cannot expect security to be maintained through military and police means alone. Political and institutional stability are equally important, if not more so.

Hence, the presidential and parliamentary elections scheduled for 28 November will be crucial for the future of the country. Haitians cannot live forever in transitional periods where uncertainty prevails and short-term actions are taken to meet urgent needs. They need and deserve a strong Government and a functioning parliament that will provide long-term stability. Thus, MINUSTAH should continue to help the Haitian authorities in the preparation of the elections and provide technical, security and logistical support to the Government and the Provisional Electoral Council.

Along with political and institutional stability, we should also not forget long-term recovery and development activities. The international community has responded quickly and quite effectively to the emergency situation in Haiti, but we have to do even better in coordinating financial assistance from donors, technical support from United Nations agencies and MINUSTAH and the reconstruction plans of the Government. Also, the pledges made at the donor's conference should be made readily available whenever and wherever they are needed, with a long-term commitment.

In conclusion, the international community, including MINUSTAH and the Haitian authorities, has so far responded well to the challenges compounded by the earthquake. But there is a need — and there is room — to do better. Turkey remains ready to support all efforts in that direction.

I now resume my functions as President of the Security Council.

I now give the floor to the representative of Uruguay.

Mr. Cancela (Uruguay) (*spoke in Spanish*): On behalf of the Group of Friends of Haiti, comprising Argentina, Brazil, Canada, Chile, France, Mexico, Peru, the United States and my country, Uruguay, my delegation would like to congratulate you, Mr. President, and the delegation of Turkey for having taken the initiative to organize this timely debate on the situation in Haiti, as laid out in the most recent report of the Secretary-General (S/2010/446) on the United Nations Stabilization Mission in Haiti (MINUSTAH). This debate highlights, once again, the continued strong commitment of the Security Council and the international community as a whole to the stabilization process in Haiti.

As coordinator of the Group of Friends of Haiti, I would like to convey the Group's greetings to the Special Representative of the Secretary-General, Mr. Edmond Mulet, and to thank him for his

comprehensive and informative briefing today. I would make particular mention of his extraordinary service in leading United Nations efforts in Haiti since the tragic earthquake of 12 January. I want to thank him and all the personnel of MINUSTAH for their dedication and selfless sacrifice. Allow me also to thank the Permanent Representative of Haiti, Ambassador Léo Mérorès, for his valuable briefing this morning.

Before sharing with the members of the Security Council the Group's views on the issues underlined by the Secretary-General in his most recent report, let me reaffirm, once again, the Group's continued support to the Government and people of Haiti as they rebuild their country, build peace and stability and promote recovery and sustainable development.

The most recent report of the Secretary-General, dated 1 September 2010, highlights the progress made in the implementation of MINUSTAH's mandate, as set out in Security Council resolutions 1892 (2009), 1908 (2010) and 1927 (2010). It also provides a framework for the evolution of the Mission over the coming year, including through the identification of milestones with respect to the fulfilment of the mandate of MINUSTAH.

As regards political issues, our Group shares the Secretary-General's assessment that Haiti is now entering a period of change that will be critical to its future political stability. The Group of Friends of Haiti stresses the importance of holding peaceful and credible presidential and legislative elections leading to the election of a President and Government with a clear and firm mandate to effectively lead the country's reconstruction process.

The Group of Friends of Haiti welcomes the activities in support of Haiti's recovery and development undertaken by MINUSTAH in close cooperation with the United Nations country team during the reporting period.

The Group also welcomes the establishment of the Interim Haiti Recovery Commission to coordinate and oversee recovery and reconstruction efforts in the country. As the report points out, to date, of the total funds pledged for 2010, 18.9 per cent, or approximately $506 million, has been disbursed, and an additional 19.5 per cent, or $523 million, has been committed.

In spite of some progress in the disbursement of pledges made at the international donors conference held in March, the Group of Friends of Haiti urges donors to fulfil their pledges in a timely manner in order to allow Haiti to meet its immediate needs and lay the foundations for sustainable economic and social development. The Group of Friends of Haiti also urges donors to continue to help the Haitian Government to strengthen its capacity to implement its Action Plan and thereby take ownership of the reconstruction process, including through the support of the Interim Haiti Recovery Commission and the Haiti Reconstruction Fund.

The Group of Friends of Haiti reiterates the importance of MINUSTAH's role in providing logistical support and technical expertise to assist the Government of Haiti to build the capacity of its rule of law institutions and to contribute to the implementation of its strategy for the resettlement of displaced persons. At the same time, the Group notes the importance of the swift implementation of those measures, given their temporary nature and the fact that they will be phased out gradually as the country's national capacity grows.

Finally, the Group of Friends of Haiti stresses the need to extend the mandate of MINUSTAH in order to enable that stabilization Mission to continue to discharge its responsibilities within the current environment. The Group of Friends of Haiti also shares the Secretary-General's view that current troop and police levels need to be maintained until an assessment of the security environment is conducted following the installation of a new President and Government. In that regard, in the coming days the Group will submit a new draft resolution on the renewal of MINUSTAH's mandate for the consideration of the Security Council.

The President: I now give the floor to Mr. Peter Schwaiger, deputy head of the delegation of the European Union to the United Nations.

Mr. Schwaiger (*spoke in French*): I would like to thank you, Mr. President, for inviting the European Union to participate in today's debate.

I welcome the important statements made this morning by His Excellency Mr. Léo Mérorès, Permanent Representative of Haiti, and Special Representative of the Secretary-General Mulet.

The candidate country of Turkey; the countries members of the Stabilization and Association Process

and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia; as well as Ukraine, the Republic of Moldova and Georgia align themselves with this statement.

I shall now read out an abridged version of the European Union's statement. The full statement will be distributed in hard copy.

I should like to emphasize three elements that seem to me to be crucial: first, the future of the United Nations Stabilization Mission in Haiti (MINUSTAH); secondly, the contribution of the European Union and its commitment in the long-term; and, thirdly, coordination among contributors. Before I turn to those three points, allow me to commend Mr. Mulet and his team for the quality of the report before us (S/2010/446) and for the outstanding work done to date by MINUSTAH. On behalf of the European Union, I should like to pay sincere and heartfelt tribute to all United Nations staff who have worked tirelessly since the tragedy in Haiti.

Haiti is entering a decisive stage towards its future stability and the success of its reconstruction. Without stability, all of our reconstruction efforts will be in vain. The greatest challenge in the short term will be the holding of free and transparent elections. A proper transfer of power to the new authorities and the strengthening of institutions to implement and enforce the rule of law and provide greater protection to displaced persons and vulnerable groups are also urgent priorities. MINUSTAH continues to have a major role to play in that regard.

The European Union strongly welcomes the recommendations of the Secretary-General with regard to extending the Mission's mandate and maintaining the current force level of military and security personnel. Only after elections are held and a full report of needs is made will we be able to reassess the situation with regard to staffing levels and to reconsider MINUSTAH's tasks in order to ensure a gradual and realistic transfer of responsibilities.

Likewise, the European Union fully endorses the strategy put forward with regard to protecting displaced persons, especially women and children. In that regard, the European Union underscores the importance of the steps taken by MINUSTAH, in close cooperation with the Haitian National Police, to address sexual and gender-based violence and the grave violations of the rights of children.

Short- and long-term reconstruction will be a determining factor in the country's social stability. At the international donors conference held in New York, the European Union and its member States committed themselves to contributing €1.235 billion to Haiti's Action Plan, of which €460 million will come directly from the European Union's budget. I have the pleasure to announce to the Council today that the latter figure has been reviewed and increased to €522 million, making the European Union one of the largest donors. Of that amount, the European Commission has already mobilized €307 million and is working tirelessly to mobilize the entire amount, while keeping in mind our Haitian partners' capacity to absorb it.

We are also providing budgetary support in the amount of almost €60 million to cover current expenditures in the areas of health, education and security, as well as to restore the Government's capacities in the wake of the disaster.

In addition, we are prepared to provide financial support for the holding of elections with about €5 million from the European Union's budget, as well as to contribute to a secure environment by maintaining the police forces we have already deployed, in particular Italian carabinieri forces and French gendarmes. Only if elections are carried out legitimately and in a transparent manner will the results be acknowledged and accepted by all and the country's social and political stability maintained.

On the humanitarian front, the European Union will also remain committed to responding to the urgent needs of victims throughout 2011.

Lastly, the European Union is currently preparing a new strategic cooperation document, in close coordination with the Haitian Government, with a view to establishing a good example of effectiveness for our assistance, based on a clear division of labour, and to resolutely making a contribution to the country's future.

Allow me to finish with a third element that is equally central to us: the need for coordination among donors. In that regard, the European Union welcomes the establishment of the Interim Haiti Recovery Commission and commits itself to full participation in its work. The idea is clearly not to create an extra administrative and bureaucratic layer, but to truly strengthen local capacities and gain quick results,

while ensuring monitoring and follow-up by the relevant ministries.

In that context, the European Union advocates closer coordination between the Commission and the Haitian ministries, with a view to better aligning reconstruction with State sectoral strategies and the Haitian people's ownership of the reconstruction. That link should also help strengthen the capacities of the Haitian administration, which was severely struck by the earthquake.

In conclusion, our role, as the international community, is to help the country rebuild its future for the better on the basis of the action plan that was submitted to us on 31 March. Four months later, the European Union has begun to translate its promises into tangible reality, working closely with the Haitian Government and the United Nations family.

The President: I now give the floor to the representative of Canada.

Mr. McNee (Canada) (*spoke in French*): I would first like to thank you, Mr. President, for taking the initiative to organize this meeting. I would also like to acknowledge the presence of the Special Representative of the Secretary-General, Mr. Mulet, and to thank him and his team for their extraordinary work in Haiti. Canada would also like to thank the United Nations Stabilization Mission in Haiti (MINUSTAH) and the funds and programmes of the Organization for the exceptional work they are doing.

Haiti continues to be one of Canada's top foreign policy priorities. Our engagement in Haiti emphasizes prosperity, security and democratic governance. Haiti is the leading recipient of Canadian development assistance in the Americas and the second worldwide. This support was greatly strengthened in the aftermath of the January 2010 earthquake. In that context, Canada announced a contribution of $400 million for reconstruction at the New York conference in March and deployed additional personnel to MINUSTAH.

Canada continues to work together with the Haitian Government and the international community. The principles guiding that work are those of the Montreal Conference on Haiti: ownership, coordination, sustainability, effectiveness, inclusiveness and accountability.

One of the major challenge Haitians will soon have to face is that of the upcoming presidential and legislative elections, to be held on 28 November. Canada supports the Haitian people, who want transparent and inclusive elections. Strong democratic institutions and good governance, guided by capable leaders who have the trust of the people, are essential in order to ensure the success of reconstruction in Haiti.

Canada also supports the electoral observation missions of the Organization of American States and the Caribbean Community, which demonstrate unparalleled hemispheric solidarity with Haiti — a solidarity that serves as a true lever of change by helping the Haitian people in their development.

Although living conditions for many Haitians are still precarious, it is important to underscore that, in large part, most of the immediate humanitarian needs were met. Reconstruction and development efforts are also moving ahead. But the Government of Haiti and its international partners will have to deal with some considerable challenges, such as land issues, in order to continue on that path.

We are pleased, however, to be able to count on the leadership of the Interim Haiti Recovery Commission, co-chaired by the Prime Minister and the United Nations Special Envoy. Canada encourages donors to align their efforts with the Interim Commission so as to facilitate coordination, avoid duplication and ensure that the capacity exists to absorb funds on the ground. But as the Secretary-General underscores in his latest report on MINUSTAH (S/2010/446), consolidating these gains will depend, in large part, on sustained support from the international community, including through MINUSTAH.

In the light of the Secretary-General's most recent report and in anticipation of the renewal of the Mission's mandate in October, Canada stresses to the Council that we support the Secretary-General's cautious approach of maintaining Mission personnel at their current level until the security environment has been assessed following the inauguration of the new President and the new Government. We will be especially interested in the Secretary-General's recommendations on any eventual need to make changes to the composition of surge resources.

The Secretary-General also underscores the authority given to MINUSTAH to provide direct logistical support and technical expertise to Haitian

officials, although this is temporary. Because the earthquake dealt a serious blow to the country's bureaucracy and State infrastructure, it will be important to allow MINUSTAH to continue to play that role until other support mechanisms can take over. This temporary direct support to Haitian authorities must be part of a process of constructive cooperation with the host Government that seeks, through training and mentoring, to build that Government's capacity to maintain stability and deliver services to its citizens.

(*spoke in English*)

Canada would also like to stress the importance it places on the continuation of MINUSTAH's work to strengthen Haiti's justice and security systems in the areas of the police, penitentiary, border and correction services. For example, we must revisit efforts to reform the national police. We recall that the Secretary-General presented a consolidation plan in his report last year (S/2009/439). It is important that MINUSTAH be able to continue to identify and pursue objectives in those areas based on that plan, in cooperation with Haitian partners.

In a post-quake context, we must re-examine challenges such as the reform of the Haitian National Police. Any progress in the legal and security realms will help reconstruction and development in Haiti and is a necessary framework in which to hold the upcoming elections.

In that regard, Canada is pleased to have significantly increased its personnel deployed to MINUSTAH, in addition to having increased by $10 million funds that will be used to rebuild key infrastructure of the judicial system and the National Police.

To conclude, Canada will continue to work with our partners to ensure that MINUSTAH continues to assist Haiti on the path to reconstruction.

The President: I now give the floor to the representative of Colombia.

Ms. Blum (Colombia) (*spoke in Spanish*): My delegation welcomes your initiative to convene this open debate today, as well as the latest report of the Secretary General (S/2010/446) on the United Nations Stabilization Mission in Haiti (MINUSTAH). Colombia reaffirms its commitment to the international efforts to assist Haiti both in the recovery and reconstruction phases. The Government of Colombia is aware that the magnitude of the tragedy that affected Haitian society requires long-term coordinated action beyond the emergency humanitarian assistance stage.

I wish to highlight the Security Council's adoption of resolution 1927 (2010), which stresses the leading role of Haiti's Government in the recovery, reconstruction and stabilization process, and underlines the need for the increased coordination of the efforts of all United Nations entities and, in general, all other organizations committed to assisting Haiti's recovery.

Colombia welcomes the Council's decision to give MINUSTAH a leading role in coordinating international electoral assistance to support the Haitian Government in conducting the presidential and legislative elections that will take place on 28 November. My country supports efforts to ensure that this democratic process will be held in a free, impartial and inclusive manner.

Despite progress made in delivering emergency humanitarian assistance and early recovery activities, the fundamental consequences of the earthquake will require sustained international commitment. My Government congratulates the Office of the Special Envoy for its work to ensure coherence across United Nations operations in Haiti and to persuade donors and non-governmental organizations channel resources for direct budget support for the Government of Haiti.

For its part, Colombia has been coordinating efforts with the Haitian Government and community and with other States and organizations working on the island. The deployment of the Government of Colombia, with the support of civil society and the private sector, to provide humanitarian aid to Haiti was very broad. For Colombia, complementing emergency and stabilization actions with cooperation and technical assistance is of the utmost importance in strengthening and developing the institutional capacities of the country.

My country continues to move towards the materialization of its proposal to conduct a pilot intervention in the town of Cabaret, adjacent to Port-au-Prince. Based on previous experience in managing natural disasters, the proposal would implement an integrated multisectoral development model that would not only rebuild affected infrastructure, but at the same time target economic and social development and strengthen governance, peace and security with the participation of the affected population and authorities.

Strengthening institutional architecture in Haiti is as important as contributing to its physical reconstruction. Strengthening the Haitian National Police is a step in the right direction and a response to current challenges, in particular those of protecting displaced persons and vulnerable groups, fighting crime and managing the borders. Colombia recently expanded the number of police officers participating in MINUSTAH, including 34 police specialists in the fight against transnational organized crime who are currently in the field.

Along those same lines, holding credible and legitimate presidential and legislative elections will grant the new Government a clear and uncontested mandate to lead the reconstruction process, and contribute to the political stability necessary for recovery and renewed economic and social development. The international community must honour its commitment to supporting the electoral process. The reconstruction of Haiti is a long-term project that will require strong leadership from the Government and sustained support from the international community. The success of MINUSTAH and its subsequent withdrawal will depend on progress in the reconstruction and restoration of infrastructure and the State's capacities to ensure lasting stability.

My delegation wishes to send a message of solidarity to the Government and people of Haiti and to express its recognition of their ability to overcome this devastating disaster and to advance in the implementation of the Action Plan for National Recovery and Development, which identifies priority areas for progress in the recovery and development of the country. Our task is to welcome the Action Plan as the road map to guide all actions in the field.

The President: I now give the floor to the representative of Peru.

Mr. Gutiérrez (Peru) (*spoke in Spanish*): My delegation associates itself with the statement made by the Uruguayan representative on behalf of the Group of Friends of Haiti, and congratulates the Security Council for the timely organization of this open debate on the situation in Haiti, especially as we prepare to debate the need to renew the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH). We also welcome the report of the Secretary-General in document S/2010/446 and the very comprehensive briefing of the Special Representative of the Secretary-General for Haiti, Mr. Edmond Mulet, whom we welcome and thank for his magnificent work in Haiti.

As noted by the Uruguayan delegation, this debate demonstrates the commitment of the Council and the international community to the reconstruction process in Haiti, and gives us an opportunity to exchange opinions on the report and on how to evaluate the Mission and our participation in it.

In the light of the observations of the Secretary-General in his report, my delegation would like to stress two aspects of the report in particular that we consider essential. Despite the progress made in Haiti's reconstruction through the efforts of MINUSTAH, the Government of Haiti and other United Nations agencies, serious challenges and difficulties remain that could threaten the progress made so far in the political, socio-economic and security sectors. We are facing an extremely fragile situation that must be addressed comprehensively through development and the strengthening of national capacities and security.

The Secretary-General has stressed the problem of resettling displaced persons and those living in camps, highlighting underlying social and economic problems that cannot and must not be underestimated. Any effort to address the various problems should be coordinated and aligned with national strategies and national priorities, as established in the Action Plan for National Recovery and Development of Haiti. In that context and without neglecting security concerns, complementary efforts to establish a solid basis for Haiti's economic recovery and growth and sustainable development must be increased.

Accordingly, the work undertaken to engage and include all local public and private stakeholders is highly important, and we congratulate the Government of Haiti for its efforts. My delegation has expressed its conviction of the importance of establishing a strategic alliance between the public and private sectors in Haiti that could contribute to strengthening institutions in that sister nation while guaranteeing its stability, security and sustainable development.

It is also clear from the report of the Secretary-General that it is crucial that cooperation be continued if the institutional capacity of the Government of Haiti is to be restored, improved and strengthened throughout the country. It is therefore essential to encourage and support constitutional reform and the

electoral process as indispensable bases for solid governability.

In order to respond to these challenges in the best way possible, it is necessary for MINUSTAH to pursue its work. We thus consider that its mandate should be renewed and that the greatest support possible given for its activities by the international community. Along these lines, Peru, aware of the need to strengthen the United Nations Stabilization Mission in Haiti, has increased its troop contribution by another 150 soldiers to cooperate in MINUSTAH's work.

Finally, I would like to reiterate that Peru is firmly and steadfastly committed to strengthening the recovery, stability and development of Haiti.

The President: I call on the representative of Chile.

Mr. Errázuriz (Chile) (*spoke in Spanish*): Mr President, I would like to thank you first of all for convening this debate on the situation in Haiti, a brother country that in recent months has had to respond to the great challenges posed by the devastating earthquake it suffered in January.

I thank the Special Representative of the Secretary-General, Mr. Edmond Mulet, for his comprehensive briefing and for the huge work he and his team have been carrying out in Haiti. I thank him very much. We would also like to thank Ambassador Mérorès of Haiti for outlining his Government's view on the main challenges that it faces.

With special gratitude, Chile associates itself with the statement delivered by the representative of Uruguay on behalf of the Group of Friends of Haiti, and takes this opportunity to reaffirm our ties with Haiti and its efforts at reconstruction, peacebuilding and long-term development.

Chile's participation in the United Nations Stabilization Mission in Haiti (MINUSTAH) constitutes an expression of our resolute commitment to multilateralism in a concerted response of the international community represented in the major forum of the United Nations. It is also an expression of the importance of that region to our foreign policy.

As noted in the report of the Secretary-General (S/2010/446), one of the main challenges facing Haiti will be the holding of presidential and legislative elections in November. We trust that peaceful elections will contribute to the consolidation of an atmosphere of political stability. The full validity of the democratic system and the strengthening of the rule of law will no doubt constitute essential elements in the success of the recovery and long-term development efforts being carried out in the country.

We take this opportunity to recognize the important work of MINUSTAH in such areas as the protection of vulnerable groups, including women and children, community violence reduction and enhanced support for State institutions, inter alia. We also voice our support for the renewal of MINUSTAH's mandate.

We believe that attention should be paid to the link between security and development because the consolidation of sustainable security conditions will depend in no small measure on the existence of opportunities and better living conditions for the population. We value the contributions that the Economic and Social Council's Ad Hoc Advisory Group on Haiti can offer on this matter.

All international efforts must be aligned with definitions set forth by the Government of Haiti in line with the principle of national ownership of the country's reconstruction and long-term development. We take this opportunity to acknowledge the leadership of the Haitian Government in its response in long-term reconstruction and development processes.

Chile favours direct action to support Haitian women, whose ability to play a central role will make a huge contribution to the reconstruction process. We support the work carried out by MINUSTAH with the Ministry of Women's Affairs and Rights and local authorities, including the provision of legal assistance to women and young people who are victims of violence. In accordance with our national plan for the implementation of Security Council resolution 1325 (2000), we reiterate the importance of developing sustainable initiatives that will reinforce and promote the involvement of women in MINUSTAH's activities.

The President: I call on the representative of Argentina.

Mr. Argüello (Argentina) (*spoke in Spanish*): At the outset, I would like to congratulate you, Sir, on assuming the presidency of the Security Council for the month of September, and to express my thanks for the opportunity to participate in this meeting on the current situation in Haiti and the challenges facing the

United Nations Stabilization Mission in Haiti (MINUSTAH) in the light of the latest report of the Secretary-General (S/2010/446). I would also like to thank his intermediary, the Special Representative of the Secretary-General, Mr. Edmond Mulet, for his briefing and, above all, for his ongoing laudable work as head of MINUSTAH. I also thank Ambassador Léo Mérorès for his briefing this morning.

My delegation associates itself with the statement made by the Permanent Representative of the Eastern Republic of Uruguay on behalf of the Group of Friends of Haiti, so I would only like to add a few additional comments.

In that regard, let me reiterate the firm commitment of Argentina to Haiti — a commitment that has endured for 16 years and is expressed today by our continued participation in MINUSTAH. Following the earthquake in January, we have deployed to the Mission an additional infantry company of 150 military personnel to assist in the distribution of humanitarian aid to the Haitian population.

We endorse the terms of the reconfiguration of the mandate of the Mission authorized by this Council in resolutions 1908 (2010) and 1927 (2010), and share the view expressed by the Secretary-General in his report that the best time to assess the advisability of modifying the current mandate and troop level of the Mission will be after the legislative and presidential elections in November and the installation of the new president and Government.

Similarly, my delegation also shares the view of the Secretary-General that Haiti, under the leadership of the Haitian Government and with international support, has successfully avoided a second-wave disaster of epidemics or social unrest. We believe that MINUSTAH's presence was a decisive stabilization factor in that regard.

The political and economic situation in Haiti remains complex as a result of the physical destruction and great loss of institutional capacity caused by the earthquake. The tragedy undid the progress that has been made in many areas in Haiti. It has resulted in the renewed commitment of the international community to rebuilding and strengthening the Republic of Haiti. In these circumstances and in order contribute to reconstruction efforts, we are working with Peru to provide MINUSTAH with the José de San Martín combined engineering company.

Let me also recall that, out of its concern for the development of State institutional capacity in Haiti, Argentina actively engaged in regional police cooperation so that Haiti could take full responsibility for internal security in the not-too-distant future. Following a number of preparatory meetings, in 2009 Argentina and Chile issued an assessment report and plan of action on police cooperation with Haiti, with a view to coordinating, institutionalizing and assessing the educational and professional training to be offered to the Haitian National Police. This cooperation was suspended owing to earthquakes in both Haiti and Chile, but the initiative will resume when the Haitian Government completes an updated a report setting out priorities and needs in this area.

I note that, as a participant in the donors' conference that took place on 31 March, Argentina pledged $16 million as its share of the $100 million contribution pledged by the countries of the Union of South American Nations (UNASUR). These funds have already been made available to the UNASUR Secretary General to carry out cooperation projects to be identified at Port-au-Prince through the UNASUR technical secretariat; they will relate to food security, risk-prevention and averting natural disasters and building Haitian State capacity. We pledged a further $1 million for cooperation activities and programmes that Argentina caries out in Haiti through the United Nations Development Programme, principally on food security and institution-building.

My delegation believes that MINUSTAH remains a decisive factor in sustainably establishing a secure and stable environment in Haiti, as the Secretary-General observes in his report. That is why we believe it is essential that the Mission's mandate be extended.

I conclude by recalling that in Haiti we are working in the hope that the day will come when the MINUSTAH mandate has been fulfilled and that the presence of the United Nations and the international community will no longer be needed because Haitians are able to shoulder full responsibility for their economic and social development. To attain that goal, it is important to continue to work to build the institutional capacity of the Haitian Government, in accordance with national priorities and in a framework of appropriate United Nations coordination of international assistance.

The President: I now give the floor to the representative of Norway.

Mrs. Smith (Norway): First, I should like to thank Mr. Mulet for his comprehensive briefing today.

As a sign of Norway's commitment, we are nominating a team of five police officers with expertise in sexual and gender-based violence to serve in the United Nations Stabilization Mission in Haiti (MINUSTAH). This is our first specialized team to a United Nations mission, reflecting the great importance that Norway places on contributing to the concrete work of United Nations missions against sexual violence. We commend MINUSTAH's support to the Haitian authorities in setting up community police substations that can assist victims of sexual and gender-based violence in camps for internally displaced persons and in crime-prone areas.

The potential for social unrest prevails. One must look for solutions that permit the United Nations to engage in areas of Port-au-Prince that are rated as not secure. Norway commends the work done by the community violence reduction programme and recommends the extension of the programme.

Norway clearly supports MINUSTAH's measures to address sexual and gender-based violence, including training and the establishment of a referral system and mechanisms for reporting and data collection. The Inter-Agency Standing Committee's Guidelines for Gender-based Violence Interventions in Humanitarian Settings should inform the implementation of these measures.

Norway encourages MINUSTAH and other relevant international bodies, including the Interim Haiti Recovery Commission, to take fully into account the recommendations issued by the High Commissioner for Human Rights in her statement to the Human Rights Council on 11 June 2010. We join the High Commissioner in calling for all reconstruction programmes and projects to adopt a human-rights-based approach, including during tender processes. A gender-based approach must be applied to all relief and reconstruction efforts.

Norway has channelled a substantial part of our support through the Multi-donor Trust Fund, including as budgetary support. The Norwegian contribution to the Fund of $33 million has been disbursed. We endorse the Secretary-General's call for more of the international support and for budgetary support to be channelled through the Fund, thus supporting the Government's own reconstruction efforts.

While there are positive developments in relation to the preparations for presidential and legislative elections, we are concerned about shortcomings in the voter registration process. This may have a negative impact on the elections and their legitimacy.

The challenge is now to achieve a gradual transition from relief to recovery mode, keeping in mind that the humanitarian situation is volatile. We expect the United Nations to play a leading role in the longer-term recovery process, including by supporting capacity-building, enhancing the legitimacy of the Haitian institutions and engaging civil society.

The President: The representative of Haiti has asked to make a further statement, and I give him the floor.

Mr. Mérorès (Haiti) (*spoke in French*): I apologize for taking the floor again, but I could not fail to do so, even if just once more to thank Council members and all others who spoke this morning. On behalf of my Government, I thank them for their very positive comments; the Government will be duly informed of those comments. I am certain that the Government will follow up on the recommendations made as my country moves towards stability.

A number of speakers made reference to the problem of sexual violence arising from certain deplorable incidents in certain camps for the displaced. I assure the Council that the Government is well aware of these incidents and that, together with the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Haitian National Police, it is taking appropriate measures to remedy the situation and ensure better protection of women and children.

Finally, I want to convey the gratitude of the Government and the people of Haiti to Mr. Mulet and to MINUSTAH. We all know that they are working in extremely difficult conditions and that they have nonetheless made it possible for the Government and the country to make progress towards stabilization.

The President: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.

United Nations S/PV.6383

Security Council

Sixty-fifth year

Provisional

6383rd meeting

Wednesday, 15 September 2010, 10 a.m.
New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mr. Moretti
	China	Mr. Wang Min
	France	Mr. Bonne
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mr. Lolo
	Russian Federation	Mr. Dolgov
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation in Liberia

Twenty-first progress report of the Secretary-General on the United Nations Mission in Liberia (S/2010/429)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-53428 (E)

Please recycle

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Liberia

Twenty-first progress report of the Secretary-General on the United Nations Mission in Liberia (S/2010/429)

The President: I should like to inform the Council that I have received a letter from the representative of Liberia in which she requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Kamara (Liberia) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2010/475, which contains the text of a draft resolution submitted by the United States of America.

I wish to draw the attention of Council members to document S/2010/429, containing the twenty-first progress report of the Secretary-General on the United Nations Mission in Liberia.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1938 (2010).

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 10.15 a.m.

United Nations S/PV.6384

Security Council

Sixty-fifth year

Provisional

6384th meeting

Wednesday, 15 September 2010, 10.15 a.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mr. Lolo
	Russian Federation	Mr. Churkin
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

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10-53435 (E)

Please recycle

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Ambassador Tsuneo Nishida, Permanent Representative of Japan, in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1737 (2006).

I now give the floor to Ambassador Nishida.

Mr. Nishida (Japan): This is the fifteenth 90-day report in accordance with paragraph 18 (h) of resolution 1737 (2006). The report covers the period from 29 June to 15 September 2010, during which time the Committee held no meetings but conducted its work using the silence procedure.

I will begin by noting the follow-up that has been or is being undertaken in response to resolution 1929 (2010) of 9 June, by which the Security Council adopted additional measures relating to the Islamic Republic of Iran. Members will recall that, via paragraphs 10, 11, 12 and 19 of the resolution, the Council designated 36 additional persons — all but one of whom had previously been subject to a travel notification requirement — as subject to the travel ban. Moreover, the Council designated one additional person and 40 additional entities as subject to the assets freeze.

Subsequently, to reflect these new designations, the Committee updated its consolidated list of individuals and entities and issued a note verbale to all Member States, as well as a press release, drawing attention to the updated list. I should like to recall here that the Committee also responded to a query from a Member State seeking confirmation that certain individuals and entities had not been designated by the Council or the Committee as subject to the aforementioned targeted measures.

In paragraph 27 of resolution 1929 (2010), the Council decided that the Committee shall intensify its efforts to promote the full implementation of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010), including through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council within 45 days of the adoption of the resolution, that is, by 24 July. The Committee approved such a work programme and transmitted it to the Council on 23 July.

By paragraph 29 of resolution 1929 (2010), the Council established, for an initial period of one year and under the direction of the Committee, a Panel of Experts to carry out certain tasks, as specified in that same paragraph. The Committee expects the Panel to be appointed and operational in the near future and is committed to establishing a good working relationship with the Panel upon its constitution.

In paragraph 31 of resolution 1929 (2010), the Council called upon all States to report to the Committee within 60 days of the adoption of the resolution — that is, by 8 August — on the steps they had taken with a view to implementing effectively paragraphs 7 to 19 and 21 to 24 of the resolution. For its part, the Committee sent a note verbale to all Member States, drawing their attention to the stipulated date of submission, as well as encouraging those States that had not yet submitted reports pursuant to either or all of the three previous resolutions to submit them separately or in combined form. In this connection, I would like to report that, thus far, the Committee has received 36 reports under resolution 1929 (2010). The Committee regrets that many States have not responded in a timely fashion, as these reports provide important information that helps the Committee to assess the implementation of the imposed measures. The Committee reiterates its call on all Member States to submit such reports if they have not done so already. Unless a State requests that its report be kept confidential, the reports will be issued as official documents and posted on the Committee's website.

That concludes my summary of the follow-up triggered by the adoption of resolution 1929 (2010).

The Committee received three notifications from a Member State with reference to paragraph 5 of resolution 1737 (2006), concerning the delivery of items for use in the nuclear power plant in Bushehr, Iran. The Committee also addressed the matter of an intended delivery of items for use in that plant. In addition, the Committee received one notification from a Member State pursuant to paragraph 15 of resolution 1737 (2006), as well as additional specific information on a prior general notification that had been submitted previously by another Member State pursuant to the same paragraph in connection with the receipt and unfreezing of funds, respectively, in order to make payments due under contracts entered into prior to the listing of two entities.

The President: I thank Ambassador Nishida for his briefing. I shall now give the floor to those members of the Security Council who wish to make statements.

Ms. Rice (United States of America): I thank you, Mr. President, for convening this meeting to review the efforts of the Security Council Committee established pursuant to resolution 1737 (2006) over the past 90 days. I would also like to thank Ambassador Nishida for his first report as Chair of that critical Committee.

Three months have passed since the Council adopted resolution 1929 (2010) to respond to Iran's ongoing refusal to comply with its international obligations. I would like to make three points about the situation today and where we go from here.

First, I would like to draw the Council's attention to the clear evidence that Iran is refusing to take any step to begin resolving concerns that it is pursuing nuclear weapons and that it continues to take actions that in fact deepen those concerns. On 6 September, the Director General of the International Atomic Energy Agency (IAEA) reported to the Council that Iran is continuing and expanding its proliferation-sensitive nuclear activities in violation of its international obligations (see S/2010/465). Iran's enrichment of uranium, including to nearly 20 per cent, continues unabated. Additionally, the Director General provided significant and troubling examples where Iran is hampering the work of IAEA inspectors, refusing the IAEA's legitimate requests for information about and access to its nuclear facilities and continuing to reject legitimate inquiries about a possible military dimension to its nuclear programme. I emphasize that this report states that Iran is hampering the IAEA's ability to monitor Iran's programme. Iran is not cooperating fully with the IAEA.

The Security Council has clearly established in its resolutions on Iran that cooperation with the IAEA is a fundamental benchmark and test of Iran's peaceful intentions. The IAEA's report is the clearest evidence yet that Iran is refusing to address our proliferation concerns and appears determined to acquire a nuclear weapons capability.

Yet, Iran's disregard for its international obligations extends beyond its nuclear activities. Iran has repeatedly attempted to export arms in violation of resolution 1747 (2007). We are also concerned that Iran continues to engage in activities related to ballistic missiles capable of delivering nuclear weapons, including conducting launches using ballistic missile technology. These activities are prohibited under resolution 1929 (2010) and undermine Iran's claims of peaceful intentions at the very time that the international community has offered Iran opportunities to build trust and confidence. The Council and the 1737 Committee will need to consider an appropriate response to Iran's serial violations of Security Council resolutions.

My second point is that Iran's recent actions remind us of the urgent need to redouble our efforts to implement the United Nations sanctions, particularly those new measures adopted in resolution 1929 (2010). Already we have seen unprecedented efforts to respond to Iran's defiance with pressure in line with the dual-track approach. Member States should move quickly to carry out their obligations to implement the new sanctions and report on their national implementation efforts to the Committee.

The 1737 Committee continues to play a critical role in monitoring and improving the enforcement of Security Council resolutions on Iran. We strongly support that Committee, which is the principle mechanism to help States fulfil their obligations, to implement the measures and to respond when States fail to enforce United Nations sanctions. The Committee should move quickly to implement the action items in its ambitious work programme, especially to respond to Iran's well-documented patterns of sanctions evasion.

Finally, the Committee should support the Secretariat's efforts to establish a new panel of experts to help monitor and improve sanctions implementation. We are concerned by the delay in setting up the panel, and we urge renewed focus to enable that body to become operational as soon as possible. These steps can improve sanctions implementation and limit the risk posed by Iran's arms smuggling, its development of nuclear-weapon delivery systems and the proliferation of sensitive nuclear and ballistic missile-related items.

My final point is to underscore the continued commitment of the United States and the international community to a dialogue and a negotiated solution to the Iranian nuclear issue. We nevertheless plan to continue clarifying for Iran the consequences of its actions, both positive and negative. Our goal remains to prevent Iran from developing nuclear weapons. We are committed to working closely with our partners in the Security Council and the international community towards that goal.

Mr. Wang Min (China) (*spoke in Chinese*): First of all, I would like to congratulate Ambassador Nishida on his assumption of the chairmanship of the Security Council Committee established pursuant to resolution 1737 (2006). The Chinese delegation will continue to support and cooperate with the activities carried out by the Committee and its Chairman. China wishes to thank Ambassador Nishida for his briefing on the work of the Committee over the past 90 days. We have taken note of the fact that the Committee carried out very effective work during the most recent reporting period, for which we express our appreciation.

Since December 2006, the Security Council has adopted a number of resolutions on the Iranian nuclear issue, including resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1929 (2010). Those resolutions reflect the international community's common concern regarding the Iranian nuclear issue. The resolutions were adopted in the interest of maintaining the international nuclear non-proliferation regime, strengthening the authority and role of the International Atomic Energy Agency (IAEA) and promoting diplomatic efforts aimed at reaching peaceful solutions on the Iranian nuclear issue.

Countries have the obligation to implement those resolutions in a full and earnest manner. However, at the same time, it is necessary that they not implement their provisions arbitrarily. Implementation should in no way impede the construction and development of Iran, nor should it get in the way of normal trade between Iran and other countries and the normal life of the Iranian people. It should in no way impede the maintenance of normal relations between other countries and Iran.

China has always supported the international non-proliferation regime and we are opposed to Iran's possession or development of nuclear weapons. We support addressing this issue through a dual-track strategy. China attaches great importance to and has strictly implemented relevant resolutions of the Security Council. We have submitted timely reports on the implementation of the four relevant resolutions. However, at the same time we believe that sanctions are not an end in themselves. They cannot provide a fundamental solution to the problem at hand. Peaceful solutions through diplomatic efforts and dialogue remain the best choice.

At present, new opportunities have emerged for relaunching dialogue and negotiation over this issue. The E3+3 Governments and Iran have all expressed their desire to restart negotiations. China hopes that all the parties concerned will fully seize this opportunity to do so and, on the basis of equality and mutual respect, take a more flexible and pragmatic approach and further strengthen engagement and dialogue so as to intensify diplomatic efforts on all fronts to reach a peaceful settlement for this problem.

We have taken note of the latest report on this issue submitted by the Director General of the International Atomic Energy Agency (IAEA). We hope that the IAEA will continue to play a constructive role in finding an appropriate solution to the Iranian nuclear issue. We hope that Iran will fully cooperate with the IAEA and clarify and properly resolve all problems at an early date so as to build the international community's confidence in the peaceful nature of the Iranian nuclear issue.

China will continue to actively participate in the activities of the Committee and, together with others, we are ready to seize and make best use of all the positive elements for restarting negotiations and intensifying diplomatic efforts so as to build momentum for finding solutions through dialogue and engagement.

Sir Mark Lyall Grant (United Kingdom): I would like to thank Ambassador Nishida for his first briefing as Chair of the Security Council Committee established pursuant to resolution 1737 (2006), and welcome him to that position. We have full confidence that, under his leadership, the Committee will continue to fulfil its important mandate. The Committee's role will be of critical importance as we pursue the dual-track strategy to resolve the Iranian nuclear issue.

This briefing comes just days after the release of the latest report of the International Atomic Energy Agency (IAEA) on Iran. The report reinforces the strong messages contained in successive reports that Iran continues to defy multiple United Nations resolutions and is failing to cooperate fully with the Agency.

The report makes clear that Iran has not suspended its enrichment-related activities or work on its heavy water-related projects. It indicates that Iran has produced 2,803 kilograms of low-enriched uranium enriched to less than 5 per cent. The report also states that Iran has produced 22 kilograms of low-enriched uranium enriched to just under 20 per cent. This is a significant step towards the ability to enrich to weapons-grade levels, and Iran has no credible civilian application for this level of enriched uranium.

The report again makes clear that, in the case of two facilities, Iran did not notify the Agency in a timely manner of its decision to construct or authorize their construction, and that this is inconsistent with Iran's obligations under the subsidiary arrangements of its safeguards agreement.

Once again, the report states that Iran has not discussed possible military dimensions of its programme with the Agency since August 2008. The Agency therefore

> "remains concerned about the possible existence in Iran of past or current undisclosed nuclear related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile" (*S/2010/465, annex, enclosure, para. 39*))

In summary, the report states that

> "while the Agency continues to verify the non-diversion of declared nuclear material in Iran, Iran has not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities" (*Ibid., para. 41*).

I would also like to highlight our concern over Iran's engagement in activities related to ballistic missiles that are capable of delivering nuclear weapons, including a launch reported in the Iranian media last month that used ballistic missile technology. Paragraph 9 of resolution 1929 (2010) prohibits such activities. The Security Council and the 1737 Committee will need to consider an appropriate response to Iran's actions.

We remain deeply concerned both about Iran's nuclear programme and about its serial violation of the resolutions of this Council, which is why we supported resolution 1929 (2010), which introduced further sanctions against Iran. The additional measures imposed by that resolution have now been in force for three months, so it is a good moment to take stock of the implementation of the additional measures imposed on Iran and the new obligations of all United Nations Member States.

While many States have acted promptly to adjust their laws and procedures, we would remind those States that have yet to report to the 1737 Committee on the measures taken to do so as soon as possible. If the dual-track strategy is to succeed, the effective and rigorous implementation by States of all these measures and those in the Council's previous resolutions will be a vital part of the dual-track policy. The 1737 Committee will have a key and growing role in ensuring this implementation, both by monitoring implementation and advising States where necessary.

We were therefore pleased to see a rigorous and specific work programme submitted to the Council on 23 July. We also look forward to the early appointment of a professional and dedicated Panel of Experts. The Panel will be essential to the effective delivery of that work programme. The Panel will also provide an additional level of scrutiny directly to the Council on the implementation of measures, making recommendations where necessary. I would urge the Committee and the Secretariat to make every effort to operationalize the Panel as soon as possible.

We remain ready to resume the talks on Iran's nuclear programme we started in Geneva on 1 October 2009. We believe that such talks can lead to a solution if they are purposeful, discuss both sides' concerns and make swift progress. In again extending our hand, we

show our determination to resolve these matters through dialogue and diplomacy.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We welcome the new Chair of the Security Council Committee established pursuant to resolution 1737 (2006), Japanese Ambassador Tsuneo Nishida. We assure him that, in his activities in that post, he can rely on the support and cooperation of the Russian delegation.

We thank the Chair for the briefing on the work of the 1737 Committee over the past 90 days. During this reporting period, the Committee continued to operate in strict compliance with its mandate. We anticipate that the recently adopted work programme of the Committee will be help that entity to effectively carry out the challenges facing it. We anticipate also that the Panel of Experts referred to in resolution 1929 (2010) will be of considerable assistance to the Committee once it is constituted.

On the current situation with respect to the Iranian nuclear programme, our position remains unchanged.

We have consistently advocated addressing the issues relating to this programme through dialogue and interaction with the Iranian side. The pillar of the Russian position has always been and continues to be reliance on negotiations and a diplomatic search for solutions as well as involving Tehran in joint endeavours, while ensuring full compliance with the actions of the IAEA. We call for Iran's cooperation in taking the steps necessary to ensure a broad dialogue with the six countries, aimed at a negotiated settlement on the issues relating to the Iranian nuclear programme.

Mr. Araud (France) (*spoke in French*): At the outset I would like to thank Ambassador Nishida for his first 90-day report as Chair of the Security Council Committee established pursuant to resolution 1737 (2006). I take this opportunity to hail his predecessor, Ambassador Takasu, for his outstanding work as Chair of the Committee.

The general context is known to all of us and is a source of serious concerns for my country. These concerns are confirmed by the most recent report of the Director General of the International Atomic Energy Agency (IAEA), dated 6 September (S/2010/465, annex, enclosure). Please allow me, as my British colleague has done, to recall some elements of the report.

First, the report stresses that Iran continues to refuse to respect its international commitments and to meet the requirements of the Security Council and of the IAEA Board of Governors. In addition, Iran continues its activities to enrich uranium to 3.5 per cent and 20 per cent and its heavy water related projects, in violation of repeated demands by the international community and in the absence of any credible civilian purpose. Today I wish to reiterate that Iran's nuclear programme has no credible civilian application.

Iran's cooperation with the Agency is insufficient and is worsening, as the Director General recently stressed at the opening of the IAEA Board of Governors meeting. Inter alia, Iran has objected to the appointment of two IAEA inspectors in June and it continues not to cooperate in resolving pending issues, including those linked to the military dimension of the Iranian programme.

I also note that Iran has announced its intention to begin construction of a third uranium enrichment facility during the first half of 2011, without providing the information requested by the Agency and counter to its Safeguards Agreement; and it has done so after the revelation of a clandestine enrichment facility in Qom.

France is also extremely concerned by Iran's activities beyond the nuclear issue, in particular arms exports and its ballistic missiles programme. Iran continues activities related to ballistic missiles that could deliver a nuclear weapon, including launches making use of ballistic missile technology. Such activities are contrary to resolution 1929 (2010), in particular its paragraph 9.

Our response must be decisive. The Council and the 1737 Committee must focus on these violations of Security Council resolutions and provide an appropriate response. Here, we hope that the panel of experts which will be established will be able to investigate these violations in accordance with the provisions of the resolution.

Our aim, of course, is dialogue. But it must be acknowledged that Iran has refused to respond to our offers of dialogue and cooperation since 2006. The ball is in Iran's court: Iran must regain the trust of the international community.

The measures adopted by the Security Council are clearly not an end in themselves. Their goal is to convince Iran to negotiate in line with the dual-track approach that the six countries have consistently advocated. To be fully effective and attain their objectives, these measures must be scrupulously implemented by all and their application must be strictly monitored. That is the responsibility of all parties and of the 1737 Committee.

For its part, the European Union, by adopting measures on 26 July to rigorously implement resolution 1929 (2010), is fully playing its role; other countries have decided to follow that example.

As Ambassador Nishida did in his briefing, my country encourages all delegations that have not yet done so to submit their national reports to the 1737 Committee on the implementation of resolution 1929 (2010).

It is also essential for the effectiveness of the Council's work and for its credibility that the international community ensure full respect for the measures adopted by the Security Council. The 1737 Committee plays an essential role in that respect. The Committee's activities reveal the scope and diversity of Iran's practices to evade the sanctions and thus confirm that we must maintain great vigilance. It is important for the 1737 Committee to know that Member States are properly implementing these measures. It must continue to investigate alleged cases of violations submitted to it and continue its assistance and outreach activities.

My country welcomes the fact that at the end of July the 1737 Committee was able to adopt a complete work programme for the coming year. We encourage all States to cooperate with the 1737 Committee and with the future panel of experts established by resolution 1929 (2010), which should enhance the effectiveness of the Committee's actions. In that context, my country fully endorses the desire expressed by the Permanent Representative of Japan that the panel of experts be rapidly constituted.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

Before adjourning, I would like to inform members that in order to allow sufficient time for the translation of the draft resolution on the United Nations Mission in Nepal to be completed, I propose to invite members to consultations on the Sudan now and to return to the Council Chamber thereafter.

The meeting rose at 10.45 a.m.

United Nations S/PV.6385

Security Council

Sixty-fifth year

Provisional

6385th meeting

Wednesday, 15 September 2010, 12.40 p.m.

New York

President:	Mr. Apakan	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mr. Moretti
	China	Mr. Yang Tao
	France	Mr. Bonne
	Gabon	Mr. Moungara Moussotsi
	Japan	Mr. Nishida
	Lebanon	Mr. Salam
	Mexico	Mr. Puente
	Nigeria	Mr. Lolo
	Russian Federation	Mr. Dolgov
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Anderson

Agenda

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/453)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

10-53441 (E)

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The meeting was called to order at 12.40 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/453)

The President: I should like to inform the Council that I have received a letter from the representative of Nepal, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Acharya (Nepal) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2010/476, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

I wish to draw the attention of Council members to document S/2010/453, containing the report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process.

I should like to draw the attention of Council members to the following documents: S/2010/472, containing the text of a letter dated 7 September 2010 from the Permanent Representative of Nepal to the United Nations addressed to the Secretary-General; S/2010/473, containing the text of a letter dated 9 September 2010 from the Secretary-General addressed to the President of the Security Council; and S/2010/474, containing the text of a letter dated 14 September 2010 from the Secretary-General addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Bosnia and Herzegovina, Brazil, China, France, Gabon, Japan, Lebanon, Mexico, Nigeria, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1939 (2010).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.45 p.m.